

Minutes of a meeting of the Town Council held on February 9th, AD 2012 at 6:32 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 S. Mataronas (arriving at 6:35 PM) and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor.

At 6:32 PM the Town Council President polled his fellow Councilors as to their wishes to enter into executive session under RI General Laws section 42-46-5(a)(2) – litigation case Rudick vs. LC Agricultural Conservancy Trust et als CA NO. NC2011-0635. All voted in favor (Appleton, Bodington, Golembeske, Mushen).

At 6:35 PM Councilor Mataronas arrived.

Discussion of a litigation matter.

At 7:01 PM the Town Council President polled his fellow Councilors as to their wishes to come out of executive session under RI General Laws section 42-46-5(a)(2) – litigation case Rudick vs. LC Agricultural Conservancy Trust et als CA NO. NC2011-0635. All voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

A short recess was taken to allow the public to enter the Chambers and the camera to be set up. Also in attendance at this time: Tom Dunn Business Manager, Chief R. Petrin and Chief S. Wordell.

At 7:04 PM the Town Council President called the meeting to order with a Pledge to the Flag.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained from voting: To approve, as written the January 19, 2012 Town Council meeting minutes.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained from voting: To approve, as written the January 30, 2012 Town Council meeting minutes.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the February 6, 2012 Town Council meeting minutes.

Announcement:

A Public Hearing scheduled for 7:30 PM will be taken up when the proper hour arrived.

Motion made by Councilor Mataronas, receiving a second by

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for January 2012.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Building Official's Department Head Report for January 2012.

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

Councilor Mataronas noted that the Police Department Report shows that overtime has been reduced.

The Town Council acknowledged Bradley Snell's desire not to seek re-appointment on the Board of Canvassers. As per the LC Home Rule Charter Section 202 the following was voted:

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To promote and appoint Antone Marion, Jr. from Alternate Board of Canvassers Member to full Board Member effective March 1, 2012 for a six year term which will expire

March 1, 2018.

A letter from Michael Harrington, Esq. representing the LC Volunteer Fire Department was received. Councilor Mushen noted that he plans to meet with the Town Solicitor, Attorney Harrington, the President of the LC Volunteer Fire Dept., the Fire Chief, and men from both the paid and volunteer fire department on Monday, February 13, 2012 at 6 PM. Councilor Mataronas asked for the session to be posted in case a quorum of Councilor's attended. This will not be considered a meeting, but will be posted as a precaution.

The Town Clerk confirmed that there are five (5) letters of interest on file for positions on the Planning Board. The most recent vacancy has been posted for two weeks receiving no further interest.

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To conduct interviews on February 23, 2012 beginning at 6 PM with interested parties to fill a vacancy on the Planning Board.

The next item on the agenda is a Public Hearing scheduled for 7:30 PM. This matter will be set aside until the designated time.

Attorney Stetson Eddy addressed the Council with a request on behalf of his client Robert Mello. Mr. Mello, who has fallen on hard

times, would like to seek approval to appear before the Planning and Zoning Boards to subdivide his property without meeting the regulation of being current on his property taxes. Attorney Eddy proposes that an agreement be reached where the subdivision and deeds of sale would not be recorded until the Town Clerk was provided proof of payment of the property taxes. After a brief discussion on the subject the following was voted:

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): In this exception of hardship we, the Town Council, grant a request made by Stetson W. Eddy, Esq. on behalf of his client Robert Mello to allow an application to subdivide his property to proceed before the Planning Board and possibly the Zoning Board of Review, contingent upon the restriction that prior to recording the approved subdivision proof of payment of the real estate taxes must be provided to the Town Clerk, the Planning Board and the Zoning Board must concur with this agreement and that this offer shall expire as of March 31, 2012.

Being 7:30 PM the following Community Development Block Grant Public Hearing was conducted:

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To open a public hearing on the

following matter:

The Town of Little Compton is considering the filing of an application for a Small Cities Community Development Block Grant. A maximum of \$200,000 is available to undertake the following range of activities:

- a) Provisions of employment opportunities for low and moderate-income individuals.**
- b) Improved housing opportunities for low and moderate-income families and individuals.**
- c) Provision of community facilities and services principally benefiting low and moderate-income families and individuals.**

Christien Belden of Church Community Housing reminded those in attendance that the Town has participated in the Small Cities Community Development Block Grant Program since 1986 having secured funds for a variety of activities including the Town Dock, Senior Citizens Center and the Community Center. He submitted a request for inclusion on the Town's application which included four (2) activities including CCHC Operating Cost – Housing rehabilitation loans, down-payment assistance, homeownership training, housing development and RI Housing Loan programs; as well as Public Services – Support for the Housing Hot Line to provide housing counseling, educational and referral services to low and moderate-income persons. Mr. Belden also submitted requests from St. Elizabeth's d/b/a Cornerstone Adult Services, Inc. and East Bay

Community Action Program.

Susan Schenck representing East Bay Community Action Program addressed the Council to explain that the program will be seeking funding from the Tiverton and Little Compton applications for work to be done on the Tiverton Facility and another request from all of Newport County municipalities for support of the Center in Newport.

Gerry Manning of Cornerstone Adult Services, Inc. asked for support of their request noting that funding would be used at the Adult Day Care Center in Little Compton at the Nancy Brayton Osborne Facility. Special Support group classes have been scheduled to meet the local needs of the community.

Jim Winters of the Housing Hot Line noted that his staffing has increased to four (4) persons to meet the needs of the community and asked for support of his request.

Councilor Mushen stated that he would like to apply for money to secure a van to support the senior busing trips as well as potentially share for use with Cornerstone Adult Services and the LC Community Center for senior meal transportation needs.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): Receiving no further comments

the public hearing on the consideration of the filing of an application for a Small Cities Community Development Block Grant was closed at 7:44 PM.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a notification received from the Police Chief that Sergeant Costantino Natale has been activated for a RI National Guard mission to Guyana, effective February 28 through March 12, 2012.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To remove Junior Patrolman Andrew J. Morgan from probationary status to the rank of Senior Patrolman with salary and benefits as per the collective bargaining agreement between the Town of Little Compton and IBPO Local 644, effective January 10, 2012.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To advertise to receive applications for the position of full time police officer with the intent of creating an eligibility list, applications shall be received by March 5, 2012.

Receiving no proposals for the purchase of one (1) new 2011 or newer, 4-door Police Package Vehicle the following was voted:

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To allow the Police Chief to secure bids from a minimum of three (3) dealerships for the purchase of one (1) new 2011 or newer, 4-door Police Package Vehicle and to return to the Council with his recommendation.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolution:

Support for Legislative Initiative to amend RIGL §17-11-1

“An Act Relating to Elections – Voting Districts and Officials”

WHEREAS: The Town of Little Compton supports House Bill 7055 co-sponsored by Representatives Carnevale, Hull, DaSilva, Messier and Ruggiero, which proposes to amend RIGL §17-11-1 entitled “An Act Relating to Elections – Voting Districts and Officials”- Division of towns and representative district into voting districts; and

WHEREAS: The current law was enacted when over-sized voting machines requiring large spaces were used, accommodating a limited number of voters at the same time, compared to compact voting

booths and optical scan equipment now used, that need a minimal amount of space and facilitate a fluid and efficient process; and

WHEREAS: There are currently two polls for 3,070 registered voters in the Town of Little Compton; and

WHEREAS: The proposed amendment of RIGL §17-11-1 would increase the number of voters served by the same polling place from 1,900 to 4,000 voters, or allow the Little Compton Board of Canvassers to increase the number of voters at a single voting place above 4,000 if the effect to the contrary would create a voting place serving less than 1,000 voters; and

WHEREAS: The proposed amendment of RIGL §17-11-1 would provide that increasing the maximum number of voters would be based on location and accessibility, with final approval by the State Board of Elections; and

WHEREAS: With reduced State aid to cities and towns and economic conditions generally, it is incumbent on municipal officials to examine areas of potential savings of taxpayer dollars that will not impact negatively on town services; and

WHEREAS: The proposed amendment would result in a cost savings for the Town while still meeting the needs of the electorate.

NOW, THEREFORE, BE IT RESOLVED:

That the Little Compton Town Council supports amending RIGL §17-11-1 entitled “An Act Relating to Elections – Voting Districts and Officials”- Division of towns and representative district into voting districts and urges passage of House Bill 7055; and

BE IT FURTHER RESOLVED:

That a copy of this Resolution be forwarded to the State Board of Elections, Secretary of State Elections Division, Governor Lincoln Chafee, State Senator Louis DiPalma and State Representative Daniel Gordon, and to all cities and towns in Rhode Island requesting their support for amendment of RIGL §17-11-1.

By Order of the Little Compton Town Council

Robert L. Mushen, President

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To schedule a work shop for February 16, 2012 at 4:30 PM to review the FY13 budget proposals which will be voted for inclusion on the Annual Financial Town Meeting warrant at a future Council meeting.

Being 7:55 PM the Town Council sitting as the Board of License Commissioners voted the following:

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Class F one day Beverage License to the LC Community Center for each of the following events, contingent upon both the Fire and Police Chief being notified of the events:

Celtic Night, dinner and musical performance, March 14, 2012

Photography Show Patron Party, May 25, 2012

Art Show Patron Party, July 20, 2012

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a communication received from the United States Department of the Interior, Bureau of Ocean Energy Management concerning the wind energy development project in the waters offshore of Rhode Island.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file an announcement received from RI Interlocal Risk Management Trust for a course entitled: Managers As Leaders: Roles and Responsibilities of

Supervisors, Councilor Mushen will speak to a potential candidate for this course and take appropriate registration action as needed.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To allow the LC Community Center to use Veteran's Field and the tennis courts on Saturday, April 7 from 8 am to 12 noon to conduct its annual Easter Spree an egg and candy hunt open to the community at no charge, contingent upon filing the Town's Indemnification Form.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a notice received by the RI Dept. of Transportation, Engineering Division of a Site exploration, which occurred February 6, 2012 at the site of the proposed drainage pipe replacement on Sakonnet Point Road, Route 77.

Motion made by Councilor Golembeske, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the United Congregational Church to conduct its Annual Summer Fair and Sakonnet Road Race on July 14, 2012, contingent upon notification of the event to both Fire and Police Chiefs. *

*** This vote was reconsidered during the meeting. See amended vote.**

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place in the Budget Folder for FY13 a request received from the Friends of the LC Nursing Association.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a communication received from the Eastern RI Conservation District concerning its Resident Canada Goose Project and to acknowledge that Councilor Golembeske will bring a copy of the communication to the LC Game Club's next meeting.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the United Congregational Church to use the Town Landing for an Easter Sunrise Service on April 8, 2012 at 6 AM.

The Police Chief asked that the Council reconsider communication #5 – a request from the United Congregational Church to hold its Summer Fair and Road Race.

Motion made by Councilor Golembeske, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To reconsider a previous vote of the Council regarding a request to hold a Summer Fair and Road Race.

Chief Wordell noted that he has received a couple of complaints regarding the finish line from a business owner. He would like to see someone address this issue in an attempt to alleviate the problem for this year. After a brief discussion the following vote was taken:

Motion made by Councilor Golembeske, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): Upon reconsideration the Town Council hereby grants permission to the United Congregational Church to conduct its Annual Summer Fair and Sakonnet Road Race on July 14, 2012, contingent upon notification of the event to both Fire and Police Chiefs, and upon the Race Committee, concerned Business Owner and the Police Chief to work together to resolve the start/finish line concerns.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

- 1. Letter received from the Town Solicitor advising the Council of his service on the Brownell House Trust for the LC Village Improvement Society**
- 2. Copy of a resolution adopted by the Exeter Town Council regarding the Aftermath of Tropical Storm Irene**
- 3. Coastal Resources Management Council Notice of rescheduling of Public Hearing to hear proposed changes to management plans, policies and procedures. New date is February 14, 2012**
- 4. Report of the Little Compton Tree Committee for 2011**

Motion made by Councilor Bodington, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$38,741.99

WB Mason - Town Council 7.25
Wb Mason - Clerk - Assessor \$14.50
WB Mason - Zoning Board \$2.68
WB Mason - Bldg - Assessor - Treasurer \$30.75
Nationalgrid - Street Lights \$39.23
Nationalgrid - Lights at Town Dock \$59.56
Nationalgrid - Transfer Station \$146.96
Nationalgrid - Public Safety Complex \$1,534.30
Salva & sons - Maintenance \$7.20
JR Tree & Land Co. - Snow Removal \$845.00
Petro - Diesel \$644.08

Petro - 30 Commons \$678.40
Petro - 32 Commons \$519.36
Petro - Gasoline \$2,806.11
Petro - Public Safety Complex \$1,582.51
the Hose Connection - Highway \$23.70
Home Depot - Maintenance - Town Hall \$36.82
Home Depot - 32 Commons \$49.97
MaryJane Harrington - Treasurer \$17.76
KTR Maintenance & Supply - Public Safety Complex \$1,080.00
KTR Maintenance & Supply - Town Hall \$17.55
Richard S. Humphrey - Town Solicitor \$3,500.00
Richard S. Humphrey - Legal Services \$2,914.50
Carol A Wordell - Canvassing \$48.84
United Site Services - Transfer Station \$115.00
Paychex of New York LLC - Treasurer \$363.75
Paychex of New York LLC - Treasurer \$363.14
Paychex of New York LLC - Treasurer \$10.97
Cox Communications - 32 Commons \$27.96
LC School Dept. - Gym Committee \$133.98
KP Manning Auto Parts Inc. - Fire Dept. \$31.22
Pioneer Heavy Duty Parts - Fire Dept. \$130.70
Firematic Supply Co Inc. - Fire Dept. \$93.05
Tiverton Auto Body - Fire Dept. \$1,826.07
KTR Maintenance & Supply - Fire Dept. \$84.54
Southcoast Hospitals Group - Fire Dept. \$1.70
BoundTree Medical - Fire Dept. \$114.27

BoundTree Medical - Fire Dept. \$890.21

Shipman's Fire Equipment - Fire Dept. \$4,057.00

Home Depot - Fire Dept. \$60.87

Staples - Fire Dept. \$103.99

Firematic Supply Co Inc. - Fire Dept. \$320.00

BoundTree Medical - Fire Dept. \$163.01

Rob's Auto Care Inc. - Fire Dept. \$137.53

Shipman's Fire Equipment - Fire Dept. \$75.00

AAA Police Supply - Fire Dept. \$110.00

Shipman's Fire Equipment - Fire Dept. \$502.00

Firematic Supply Co Inc. - Fire Dept. \$65.44

National Fire Protection Association - Fire Dept. \$130.00

National Fire Protection Association - Fire Dept. \$130.00 \$9,026.60

RI Gov. Finance Officers Assoc. - Treasurer \$55.00

RI Gov. Finance Officers Assoc. - Treasurer \$50.00

East Bay Comm. Action Program - Student Assistant \$3,031.07

Woods Small Engines - Highway \$139.72

Robert Cavanagh Jr. - Snow removal \$531.00

Cox Communications - Computer \$252.00

Cox Communications - Town Hall departments \$261.77

Dave Venancio - Inspectors \$630.00

Marion Welding - Transfer Station \$60.00

Sakonnet Plumbing & Heating - Public Safety Complex \$65.00

Sakonnet Plumbing & Heating - Public Safety Complex \$97.50

Everlasting Design - Computer Monthly - February \$1,600.00

Everlasting Design - Computer \$1,800.00

William L. Moore - Building Official \$144.86
William Moore - Inspectors \$570.00
Wilbur's General Store - Maintenance Dept. \$5.20
Wilbur's General Store - Maintenance Dept. \$10.69
Eastbay Newspapers - Zoning Board \$51.43
Eastbay Newspapers - Contingency \$44.17
Petro - Town Hall \$1,786.70
Vic's Car Wash - Drug Forfeiture \$9.50
Rob's Auto Care - Drug Forfeiture \$94.00
East Bay Printing - Drug Forfeiture \$83.48 \$186.98
W.B. Mason - Police Dept. \$98.37
Graphix Plus - Police Dept. \$96.30
K.T.R. Maintenance - Police Dept. \$88.14
Sakonnet Veterinary Hospital - Police Dept. \$390.00
Belmont Springs - Police Dept. \$15.66 \$688.47
FR Modern Printing - Treasurer \$32.00

The Town Clerk was relieved of her duties at this time. Councilor Mushen to serve as Clerk Pro-tem for the executive session.

Carol A Wordell, Town Clerk

At 8:07 PM 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) – collective bargaining for IBPO Local 644, IAFF Local 3957 and LC Municipal Employees/NEARI. All voted in favor (Appleton, Bodington, Golembeske, Mataronas and Mushen).

Executive Session Attendees: Town Council: Charles N. Appleton, Jr., Fred M. Bodington, III, Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor, Fire Chief Petrin and Police Chief Wordell.

Discussion ensued relating to collective bargaining for all three municipal unions cited in the executive session call.

At 9:24 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) – collective bargaining for IBPO Local 644, IAFF Local 3957 and LC Municipal Employees/NEARI. All voted in favor (Appleton, Bodington, Golembeske, Mataronas and Mushen).

No votes were taken.

Motion made by Councilor Golembeske, receiving as second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Matarona, Mushen): To adjourn at 9:25 PM.

Robert L. Mushen, Clerk Pro-tem