

Minutes of a Town Council meeting held on March 22nd, AD 2012 at 7:00 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 and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor.

Salute to the Flag.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 8, 2012 Town Council meeting minutes.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 13, 2012 special meeting minutes.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 14, 2012 Town Council special meeting minutes.

Announcements:

1. Councilor Mushen, announced that he had received a letter from the School Superintendent requesting the possibility of using Veteran's Field for the upcoming school year to place portable classrooms. This will be considered at the April 5, 2012 Town Council meeting.

2. Councilor Mushen announced that the 2nd Public Hearing for the Community Development Block Grant will begin at 7:15 PM as advertised.

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

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Fire Department Head Report for February 2012.

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

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

Golembeske, Mataronas, Mushen): To appoint Edith Marion as an Alternate Republican Member of the Board of Canvassers for a term which will expire November 2017.

Motion made by Councilor Bodington, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a request to extend a waiver deadline granted to Robert Mello relating to the subdivision and sale of his property.

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Mataronas, Mushen) Councilor Golembeske abstaining: To return the request of Stetson W. Eddy, Esq. representing a property owner who is seeking authorization from the Town Solicitor and the Planning Board to move forward with subdividing their property on Old Harbor Road which receives its access through Westport, MA advising Attorney Eddy that his client should return to the Planning Board to follow the normal procedure.

Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Golembeske, Mataronas, Mushen) Councilor Bodington and Town Solicitor Richard S. Humphrey recusing: To remove the discussion of the unpaved part of the turnaround at the intersection of Point Street and Bluff Head Avenue from the agenda. No action was taken on this subject.

Being 7:15 PM The Town Council conducted the following Public Hearing:

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To open the 2nd public hearing for the Community Development Block Grant Program for the purpose of obtaining citizen's views of proposed activities to be included on the 2012 application proposed as follows:

Proposed activities:

The Town of Little Compton is preparing to submit a Community Development application to request up to \$200,000 to undertake the following activities:

1) Public Facility: Provide funding to purchase a van to transport the elderly residents of Little Compton.

Amount: \$ 47,785

2) Public Services: Support for the Women's Resource Center of Newport and Bristol Counties to provide counseling and advocacy services to victims of domestic violence.

Amount: \$ 5,000

3) Public Facility: Provide funding for East Bay Community Action Program for furnishings and equipment at their new community health center in Newport's North End.

Amount: \$10,000

4) Public Facility: Provide funding for East Bay Community Action Program to support the start-up operation of its health and dental services that will be provided to low income, uninsured and underinsured residents of Newport County at its new facility in Newport's North End.

Amount: \$10,000

5) Public Service: Housing Hot Line - Housing counseling and referral services to low and moderate income persons in Newport County.

Amount: \$ 400

6) Public Service: Provide support to the St. Elizabeth's Community Cornerstone Adult Services' Nancy Brayton Osborn Adult Day center that provides adult day health services to frail elders and adults with disabilities and those with Alzheimer's disease and related dementia.

Amount: \$ 5,000

7) Housing Operating: Provide support to Church Community Housing Corporation for costs for Residential Rehabilitation loans, RI Housing Loan programs, Homeowners Assistance, and Homebuyer Training programs.

Amount: \$ 12,500

8) Housing Operating; Provide operating support to the Community Housing Land Trust of RI for technical assistance, training and monitoring of affordable housing units.

Amount: \$ 3,000

9) Town Administration:

Amount: \$ 1,000

The following spoke on behalf of their requests to be included on the Town's application:

Christian Belden of Church Community House Corporation

Susan Schenck of East Bay Community Action Program

Gerri Manning of Cornerstone Adult Services, Inc.

After a brief discussion of the proposed activities the following as voted and prioritized as follows:

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

WHEREAS, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and

WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said Department/Office to disburse such funds; and

WHEREAS, it is in the interest of the citizens of the Town of Little Compton that application be made to undertake a local Community Development Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE COMPTON That the filing of the following application for the amount of \$94,685 to implement the activities proposed herein hereby authorizes and that Robert L. Mushen, Chief Executive Officer, is hereby authorized and directed to file said application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the Representative of the Town of Little Compton in all matters relating to this application and any award which may be based upon the application activities prioritized and listed as follows:

TOWN OF LITTLE COMPTON

NOTICE OF PUBLIC HEARING

2012 COMMUNITY DEVELOPMENT BLOCK GRANT

The Town of Little Compton is preparing to submit a Community Development application to request up to \$200,000 to undertake the following activities:

1) Public Facility: Provide funding to purchase a van to transport the elderly residents of Little Compton.

Amount: \$ 47,785

2) Public Service: Provide support to the St. Elizabeth's Community Cornerstone Adult Services' Nancy Brayton Osborn Adult Day center that provides adult day health services to frail elders and adults with

disabilities and those with Alzheimer's disease and related dementia.

Amount: \$ 5,000

3) Public Services: Support for the Women's Resource Center of Newport and Bristol Counties to provide counseling and advocacy services to victims of domestic violence.

Amount: \$ 5,000

4) Public Facility: Provide funding for East Bay Community Action Program for furnishings and equipment at their new community health center in Newport's North End.

Amount: \$10,000

5) Public Facility: Provide funding for East Bay Community Action Program to support the start-up operation of its health and dental services that will be provided to low income, uninsured and underinsured residents of Newport County at its new facility in Newport's North End.

Amount: \$10,000

6) Public Service: Housing Hot Line - Housing counseling and referral services to low and moderate income persons in Newport County.

Amount: \$ 400

7) Housing Operating: Provide support to Church Community Housing Corporation for costs for Residential Rehabilitation loans, RI Housing Loan programs, Homeowners Assistance, and Homebuyer Training programs.

Amount: \$ 12,500

8) Housing Operating; Provide operating support to the Community Housing Land Trust of RI for technical assistance, training and

monitoring of affordable housing units.

Amount: \$ 3,000

9) Town Administration:

Amount: \$ 1,000

Motion made by Councilor Mataronas receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To close the public hearing at 7:30 PM.

Councilor Mataronas updated the Council on the letter he received from the RI Department of Transportation, Engineering Division relating to the Culvert Replacement Project for Sakonnet Point Road and the request to modify the design.

Chief Wordell informed the Council that his officer's have solicited bid proposals for a new 2011 or newer, 4 door police package vehicle. He has presented two vehicles for the Council to consider.

Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept the bid proposal from Central Chrysler-Jeep-Dodge of Raynham for a 2012 Police Package Dodge Charger for the bid price of \$26,225.00.

Motion made by Councilor Mataronas, receiving a second from

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter from Senator Bethany L. Moura, District 19 concerning her efforts to seek an amendment to an existing statute governing foreclosures.

Motion made by Councilor Bodington, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on the April 5, 2012 agenda a Letter of resignation received from Robert Torchia resigning from the LC Housing Trust.

Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept a letter of resignation from Laura Rom as clerk for the Zoning Board and the Planning Board, as well as the Building Official's clerical personnel, effective March 29, 2012 and to advertise for a part-time Board Secretary with a salary of \$14.00 per hour.

Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following Resolution and return to the East Bay Energy Consortium:

RESOLUTION: MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT LEGISLATION ESTABLISHING THE

EAST BAY ENERGY CONSORTIUM

BE IT RESOLVED BY THE LITTLE COMPTON TOWN COUNCIL AS FOLLOWS:

WHEREAS: The Town Council of the Town of Little Compton endorses and supports the use of alternative sources of energy for the production of electricity for use in the town; and

WHEREAS: The generation of electricity from local alternative energy sources will mitigate the impact of electricity supply and price disruptions originating outside the state; and

WHEREAS: The towns of Barrington, Bristol, Little Compton, Middletown, Portsmouth, Tiverton, and Warren and the cities of East Providence and Newport have proposed to develop facilities for the local generation of electricity through the use of alternative energy sources other than fossil fuels through the establishment of the East Bay Energy Consortium.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Little Compton, Rhode Island as follows:

SECTION 1: That the Town of Little Compton hereby memorializes the General Assembly to enact legislation authorizing the Town to

join with other towns and cities to establish the East Bay Energy Consortium.

SECTION 2: THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON IT PASSAGE BY THE LITTLE COMPTON TOWN COUNCIL

The Maintenance Department is in need of hiring a seasonal, no more than 1000 hours, laborer for the summer. The following was authorized for advertisement:

Motion made by Councilor Mushen, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To advertise for a part time seasonal worker at a rate of \$13.00 per hour.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a Public Notice of proposed rule-making received from the RI Historical Preservation and Heritage Commission concerning Historic Cemeteries.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file copies of resolutions adopted by the Exeter-West Greenwich School Committee

and the South Kingstown School Department to seek an amendment to move the teacher layoff notice deadline from March 1 to June 1.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a copy of a resolution adopted by the East Greenwich Town Council opposing H-7618 an act relating to labor relations Firefighters and H-7619 an act relating to labor relations Police Officers Arbitration 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 copy of a Notice of proposed intention to change rules and regulations received from Coastal Resources Management council.

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter received from the RI Dept. of Administration, Division of Planning concerning the Transportation Improvement Program for FFY-203-2016 which includes two recommended local projects.

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

calendar as follows:

- 1. Copies of resolutions adopted by Exeter-West Greenwich School Committee, East Greenwich Town Council and Lincoln School Committee opposing binding arbitration and House bills H7617 and H7620**
- 2. Copy of a resolution adopted by the East Greenwich Town Council supporting Senate bill 2489 sub A relating to polling place limits**
- 3. Copies of resolutions adopted by Exeter-West Greenwich School Committee, Westerly Town Council and Lincoln School Committee opposing H7250 and S2532**
- 4. Letter received from the RI Clean Water Finance Agency estimating structuring its next pooled wastewater bond issue in late December, 2012. No projects eligible at this time.**

Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$57,263.19

Home Depot - Maintenance - Town Hall - Public Safety \$137.28

Petro - Gasoline \$2,934.37

Petro - Diesel \$1,395.33

Petro - 30 Commons Maint. Garage \$511.78

Petro - 32 Commons \$358.91

Petro - Public Safety Complex \$840.19

Richard S. Humphrey - legal services \$232.00

William L. Moore - Building Official \$65.50

Carol A Wordell - Board of Canvassers \$127.09

Direct Energy - Cell Tower \$182.17

Direct Energy - Town Dock \$32.33

Direct Energy - Peckham Lot \$5.83

Direct Energy - Street Lights \$6.21

Direct Energy - 32 Commons \$8.78

Direct Energy - IOOF \$15.52

Direct Energy - Town Hall \$219.11

Direct Energy - Adamsville Lights \$36.87

RI Div. of Motor Vehicles - Maintenance \$11.50

Verizon Wireless - Fire Dept. \$417.70

Verizon Wireless - Transfer Station \$32.52

Verizon Wireless - Maintenance Dept. \$32.52

Verizon Wireless - Maintenance Dept. \$34.33

Verizon Wireless - Building Official \$39.81

Nationalgrid - Adamsville Lights \$38.73

Nationalgrid - Town Hall \$183.76

Nationalgrid - Peckham Lot \$13.96

Nationalgrid - 32 Commons \$16.29

Nationalgrid - IOOF \$21.67

Nationalgrid - Public Safety at Transfer Station \$154.26

Nationalgrid - Town Dock \$35.05

Nationalgrid - Street Lights \$14.34

Poland Springs - Town Hall \$38.10

Poland Springs - Maintenance \$45.38

Paychex of NY, LLC - Treasurer \$350.15

Allied Waste - Transfer Station \$4,761.00

WB Mason - Clerk - Town Hall \$122.65

Fire Tech & Safety of NE - Fire Dept. (reimburs grant) \$25,360.00 \$25,360.00

Griggs & Browne - Fire Dept. \$50.00

Comstar - Fire Dept. \$348.89

Comstar - Fire Dept. \$159.75

Boundtree Medical - Fire Dept. \$42.68

Shipman's Fire Equipment - Fire Dept. \$497.50

Shipman's Fire Equipment - Fire Dept. \$139.85

On Scene Firefighter Training - Fire Dept. \$595.00

Firematic Supply co. - Fire Dept. \$167.87

Cox Communications - Fire Dept. \$170.59

Tiverton Auto Body Inc. - Fire Dept. \$663.82 \$2,835.95

Cox Communications - 32 Commons \$28.01

Sani-kan - Maintenance \$90.95

Everlasting Designs - March month \$1,600.00

Everlasting Designs - February over the monthly amt. \$1,150.00

Everlasting Designs - Computer parts \$219.00

Everlasting Designs - March over the monthly amt. \$400.00

United Site Services Northeast Inc. - Transfer Station \$115.00

ACS - Town Clerk \$1,299.00

WB Mason - Clerk - Council - Assessors \$72.21

Stanley Engineering Inc. - Assessors \$2,104.50

Vision Government Solutions - Assessors \$4,750.00

Postmaster - Treasurer \$180.00

LC School Dept. - Gym Committee \$3,585.58

At 8:08 PM the Town Council took a brief recess to allow those in attendance to leave the chambers prior to entering into executive session. The Deputy Town Clerk was relieved of her duties at this time.

Sheila A Oliveira

Deputy Town Clerk

At 8:10 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) litigation – Rudick vs. LC Agricultural Conservancy Trust et als, All voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

Members present during executive session: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas, Robert L. Mushen. Also in attendance Richard S. Humphrey, Town Solicitor.

Conducted discussions regarding the aforementioned case pending in court.

At 8:30 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 – Rudick vs. LC Agricultural Conservancy Trust et als, All voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To forward to the Little Compton Agricultural Conservancy Trust a bill submitted by the Town Solicitor relating to services rendered on behalf of litigation of the Rudick vs. LC Agricultural Conservancy Trust et als.

Motion made by Councilor Appleton, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:32 PM.

Paul J. Golembeske, Clerk Pro-tem