

Minutes of a Town Council meeting held on December 20th, 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, Tom Dunn Business Manager and Police Chief Wordell.

Salute to the Flag.

A Moment of Silence was recognized for the 26 souls who were lost in the recent tragedy in Sandy Hook Elementary School in Newton, Connecticut.

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

The Town Clerk administered the oath of office to Ryan C. LeClaire as Junior Probationary Patrolman for the LC Police Department due to his recent graduation from the Municipal Police Academy. After a brief recess to congratulate Jr. Ptlm. LeClaire the council returned to the agenda items.

Announcements:

1. In the month of January the following will be appointed:

(1) Town Tree Warden – annual appointment

(2) Harbor Commission members – 3 year terms

(3) Conservation Commission members – 3 year terms

(1) Recreation, Conservation and Open Space Comm. member - 3 yr term

(1) Planning Board member – 4 year term

(7) Charter Review Commission - 2 year terms

(2) Trustees for the LC Housing Trust – letter suggesting candidates to be submitted by the LC Housing Trust – 5 year terms

2. A letter has been received from Larry Anderson concerning the LC Agricultural Conservancy Trust which will be placed on the January 10, 2013 Town Council meeting agenda.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To reschedule the July 2013 Town Council meetings to July 11 and July 25 due to conflicts with the July 4th holiday.

Discussion of a proposed contract with a candidate for Road Supervisor continued from the December 6, 2012 council meeting. Various points of concern were raised:

- Remove the reference to the annual rate sheet for miscellaneous**

highway services, since the contract will designate a specific fee per month as compensation for all services

- Remove the language “provide three cell phones” and replace with “provide a portable radio”**
- Add language that this is an independent contractor with no benefits**
- Consider for future reimbursement of private cell phone use during work on town services if it is deemed necessary**

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to continue to negotiate with Jon Ibbotson who has previously served as the Road Superintendent and to offer the following as an offer for services, further allowing the Council President the ability to potentially add language to reimburse up to \$40 per month of documented work related charges that may be incurred in the line of duty for cell phone use:

Proposed 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: 20 December 2012

2. Duration of Agreement: Through 30 November 2013. This is an “at will” agreement, terminable by either party at any time.

3. Terms of Agreement:

a. The Road Superintendent (RS) is an independent contractor who 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. This contract carries no additional benefits.

4. Duties:

a. Sanding and snow removal on town roads:

1. Directing the operation of town owned or contracted snow plows during snow/ice events, upon notification by the Police Department or the DPW

2. Loading of the Town Sanding Truck at the state facility or at the Transfer Station, including providing loading equipment

3. Manning the Town Sanding Truck for snow/ice events

4. Training of drivers for the Town Sanding Truck

5. Cleaning and maintaining the Town Sanding Truck after any service period.

6. Scheduling and overseeing preventive and corrective maintenance of the Town Sanding Truck.

- 7. Reviewing and recommending solutions to provide backup sanding capability, including the disposition of the town's slide-in sander.**
 - 8. "Off-season" preparation of the Town Sanding Truck for winter operations.**
 - 9. Secure storage of the Town Sanding Truck year-round.**
- b. Maintenance of town roads:**
- 1. Preparing a prioritized maintenance plan for DPW approval for replacing storm drainage pipes across and alongside town road.**
 - 2. Replacement of storm drainage pipes across and alongside town roads.**
 - 3. Investigate and correct problems with town roads at the direction of the DPW.**
 - 4. Preparing a prioritized maintenance plan for long-term care of roadside swales on town roads.**
 - 5. Supervise town-contracted paving companies in the resurfacing of town roads, including pre-sweeping, pavement cutting and apron preparation.**
- 5. Compensation:**
- a. The RS will submit to the DPW at the end of each month an itemized summary of work performed that month.**
 - b. After review of the summary by the DPW and the Town Council President, the town agrees to pay a fee for services of \$3,000 for each month from November through March and \$1,500 for each month from April through October.**

c. The town will provide a portable radio to the RS for use in coordinating operations.

End proposed contract...

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret a resignation received from Shay Austin-Leary who served as a secretary to the Planning and Zoning Boards and the Building Official, a letter of gratitude shall be sent to Ms. Austin-Leary for her services.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To confirm the Town's support of the Annual Penguin Plunge to be held at South Shore Beach on January 1 at noon to raise funds for the LC Community Center, the Town's ambulance will be on hand for the event.

Councilor Mushen noted that the 9.8 million in Bond Anticipation Note Funds has been received and is presently in an interest bearing account. The contract with ADS Construction is moving forward, which was carefully drafted by the Town Solicitor and Bond Counsel. A process has been set up where the Town Business Manager will

carefully watch expenditures to assure the project stays within budget. After a brief discussion of potential change orders that may arise when construction begins the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to be able to authorize change orders up to \$5,000 that may arise during construction.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Holiday Sales License to Earles Service Station for the ensuing year.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a copy of a letter sent to the Police Chief confirming the RI State Traffic Commissions decision to allow a “Hill Blocks View” warning sign to be placed in the vicinity of 200-202 Long Highway as a safety precaution.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the Cystic Fibrosis Foundation Mass/RI Chapter to conduct a 62/25 mile Bicycle

Ride called the Cycle for Life on September 21, 2013 from 7:30 AM to 2:00 PM, contingent upon notification with the local Police Department concerning the potential need to hire a police detail for the event and that the Town's Indemnification Form requirements being met.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the recommendation of the Board of Tax Assessors for the cancellation of the following taxes be granted under Section 44-7-14 of the General Laws of Rhode Island, as amended:

Acct/Name Plat/Lot/MV	Abatement Value	Abatement	Year
Cannon, Kimberly A. 2008 Subaru	\$3,824	\$53.15	2012
03-0167-10			

Ferreira, Alfred 001/0060	\$227,400	\$1,223.41	2012
04-0323-00			

Swart, Sally M. 2004 Volvo XCO	\$4,725	\$65.68	2012
19-1823-10 2004 Volvo XCO	\$285	\$3.96	2011

A memorandum has been received from Senator DiPalma requesting to meet to discuss the Town's legislative agenda for 2013. Councilor Mushen stated that he would respond to the request, but asked if his

fellow Councilors had any particular subjects they wished him to bring forth. The following topics were raised:

- Binding Arbitration for Teachers brought up in previous legislative session**
- Land Zoning Regulation issues concerning minimum lot size brought up in previous legislative session**
- Concept of marriage other than man and woman (brought forward by Councilor Mushen)**
- Tolls for Sakonnet River Bridge**
- Hand gun issuance and permitting process (brought forward by Chief Wordell)**
- State launching ramp is in need of repair, not necessarily for legislation just to pass the information along**

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to contact Senator Louis DiPalma to discuss the Council's legislative concerns for 2013.

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

- 1. Letter from the Police Chief advising the Council of Lt. Marion serving as Acting Chief during a scheduled vacation.**
- 2. Letter reviewing the towns' insurance coverage for flooding received from the RI Interlocal Risk Management Trust. To be filed within our insurance records.**
- 3. Copy of a favorable Decision rendered by the RI Coastal Resources Management Council regarding an application of the Sakonnet Point Club, 11 Bluff Head Rd.**

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$27,431.86

Postmaster - Probate - Clerk \$220.00

WB Mason - Town Clerk \$8.65

Allied Waste - Transfer Station \$5,708.72

Nationalgrid - cell tower \$201.88

Nationalgrid - Adamsville Street Lights \$47.14

Nationalgrid - Town Hall \$164.04

Nationalgrid - IOOF \$22.95

Nationalgrid - 32 Commons \$17.01

Nationalgrid - street lights \$18.74

Nationalgrid - Peckham Lot \$14.89

Nationalgrid - Transfer Station \$50.52

Nationalgrid - Town Dock \$25.80

Petro - gasoline \$2,794.49

Messenger Security Systems Inc. - Town Hall \$105.00

Messenger Security Systems Inc. - 32 Commons \$65.00

Messenger Security Systems Inc. - Maintenance \$65.00

Alarm New England LLC - Town Hall \$317.97

Everlasting Designs - Dec. monthly computer \$1,600.00

RI Interlocal Risk Management Trust - insurance \$730.33

Fisher Bus Inc. - Senior Busing \$300.00

Wilbur's General Store - Maintenance \$19.49

Matthew Bender & Co. Inc. - Town Hall \$697.46

Home Depot - Maintenance \$67.83

Aquidneck Mooring - Harbor Management Fund \$150.00

**Fred's Tree & Design Inc. - Harbor Management Fund
(Dock) \$1,500.00**

Mike Massa - Harbor Management Funds (Dock) \$21.19

Joseph K. Delano Saw Mill - Wilbour Woods \$285.60

Tripp's Lawn Care Inc. - Cemetery Fund \$46.00

Verizon Wireless - Maintenance \$63.22

Verizon Wireless - Transfer Station \$30.19

Verizon Wireless - Building Official \$93.84

Fall River Modern Printing - Building Official \$103.76

Shay Austin-Leary - Planning, Zoning, Building \$350.00

Hope Taylor - Tree Committee \$630.00

Lois Goulart - Bd Canvassers \$60.00

Edith Marion - Bd of Canvassers \$60.00

RITCA - Treasurer \$30.00

Petro - Town Hall \$1,417.10

Poland Spring - Town Hall \$11.29

Poland Spring - Maintenance \$4.80

Home Depot - Public Safety Complex \$48.10

Markey & Asplund - Assessor's \$113.00

Modern Printing - Assessors \$60.00

Modern Printing - Assessors \$105.00

RI Association of Assessing Officers - Assessors \$100.00

Direct Energy - Transfer Station \$46.03

Direct Energy - Town Dock \$20.13

Direct Energy - Peckham Lot \$6.88

Direct Energy - Street Lights \$11.59

Direct Energy - Meeting Hall \$9.46

Direct Energy - IOOF \$16.66

Direct Energy - Town Hall \$187.76

Direct Energy - Adamsville Lights \$46.03

Direct Energy - Cell Tower \$233.65

Cox Communications - 32 Commons \$28.66

Nationalgrid - Public Safety Complex \$527.56

Vic's Car Washes - Fire Dept. \$19.00

Boundtree Medical - Fire Dept. \$474.29

Cox Communications - Fire Dept. \$172.90

Griggs & Browne Co. Inc. - Fire Dept. \$50.00

Sakonnet Plumbing & Heating - Fire Dept. \$94.50

Firematic Supply Co. Inc. - Fire Dept. \$27.50

Everlasting Designs - Fire dept. \$85.00

Verizon Wireless - Fire Dept. \$135.82
NE Emergency Medical Training Inc. - Fire Dept. \$900.00
KTR Maintenance & Supply - Fire Dept. \$39.10
RIAFC - Fire Dept. \$150.00
Wilkie Excavating - Fire Dept. \$90.00
Wilbur's General Store - Fire Dept. \$32.35
Don's Marine Inc. - Fire Dept. \$20.35
C&S Specialty Repair DIV - Fire Dept. \$447.00 \$2,737.81
Messenger Security Systems - Public Safety Complex \$120.00
Messenger Security Systems Inc. - Public Safety Complex \$254.36
Franlart Nurseries, Inc. - Hurricane Sandy work \$2,100.00
Bruce's Saw Shop - Maintenance \$21.10
Paychex of New York LLC - Treasurer \$375.26
Verizon Wireless - Drug Forfeiture \$337.61
Everlasting Designs - Drug Forfeiture \$750.00
Vic's Car Washes - Drug Forfeiture \$9.50
Tiverton Sign Shop - Drug Forfeiture \$85.00
Rhode Island Attorney General - Drug Forfeiture \$30.00 \$1,212.11
K.T.R. Maintenance - Police Dept. \$19.55
TMDE Calibration - Police Dept. \$160.00
Cox Communication/Internet - Police Dept. \$171.00
Cox Communication/Telephone - Police Dept. \$190.26
Sakonnet Veterinary Hospital - Police Dept. \$390.00 \$930.81

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

Golembeske, Mataronas, Mushen): To adjourn at 8:00 PM.

Carol A Wordell, Town Clerk