

Minutes of a Town Council meeting held on March 21st, 2013 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 present: Richard S. Humphrey, Town Solicitor.

Pledge to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move New Business #9 to this point in the meeting.

New Business #9 – Letter received from John Vitkevich of Portsmouth Business Association to speak on the subject of tolls being assessed on the Sakonnet River Bridge.

Mr. Vitkevich gave a brief review of his concerns regarding the potential tolling of vehicles that use the Sakonnet River Bridge and asked for the Council to allow our Solicitor to meet with East Bay Solicitors to consider options that may be available to the cities and towns to fight the implementation of this tolling. After commenting that the Council would not wish to jeopardize their funding sources with State agencies the following was voted:

Motion made by Councilor Mataronas, receiving a second by

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To allow the Town Solicitor to meet with fellow East Bay Solicitors for the purpose of discussing the potential tolling of vehicles on the Sakonnet River Bridge.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained: To approve, as written the March 7, 2013 Town Council meeting minutes.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the payment of \$5,357.50 to Durkee Brown Viveiros Werenfels for architectural services and \$1,402.00 to RI Interlocal Risk Management Trust for Business Risk insurance premium for the period of March 1 through June 30, 2013 all to be paid from the remaining Bond Anticipation Note proceeds for the School Renovation Project.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the progress meeting minutes for February 14, 2013 for the Wilbur & McMahan School Renovation Project.

Motion made by Councilor Golembeske, receiving a second by

Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolutions:

2013-03

RESOLUTION

OPPOSING CONTRACT CONTINUATION LEGISLATION

WHEREAS: Current state law does not provide for mandatory continuation of an existing teacher, police officer, firefighter or municipal employee collective bargaining agreement; and

WHEREAS: A Superior Court justice recently ruled that state statute, defining when a contract ends, obviates any clause, agreed to, allowing for a continuation of a public employee contract; and

WHEREAS: School districts and cities and towns have seen a calamitous reduction of state aid; and

WHEREAS: There exists a \$102 million dollar revenue/expenditure gap in the FY 2014 budget and cities and towns have lost over \$185 million general revenue sharing and auto excise reimbursements; and

WHEREAS: Taxpayers are already burdened by some of the highest property taxes nationally; and

WHEREAS: School districts and cities and towns must comply with

RIGL §44-5-2, that caps the property tax levy, for FY 2013 at 4%; and

WHEREAS: According to RIGL §16-2-9 (d) "The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt." and;

WHEREAS: School committees are required to adhere to the Rhode Island Department of Education's Basic Education Plan, teacher evaluation regulations and other RIDE rules and regulations; and

WHEREAS: Contract continuation would serve as a disincentive for local government unions to bargain in good faith and allow existing employee wages and benefits to continue unchanged indefinitely forcing districts to possibly violate state mandated property tax caps and RIDE's rules and regulations; and

NOW THEREFORE BE IT RESOLVED: That the Town Council of the Town of Little Compton respectfully requests the Rhode Island General Assembly to oppose S-365, S-777 and H-5699 which would mandate that expired teacher, police officer, firefighter or municipal employee contracts must continue at the existing terms and conditions; and

NOW THEREFORE BE IT FURTHER RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island Municipality, School Committee, State Senator, State Representative and the Governor.

WHERETO: The following bear witness: Robert L. Mushen, Town Council President.

And to further adopt:

2013-04

RESOLUTION

OPPOSING BINDING ARBITRATION LEGISLATION

WHEREAS: Current state law does not provide for mandatory binding arbitration on monetary matters for school teachers, other school employees and municipal employees; and

WHEREAS: Payroll cost is the largest single expenditure in municipal and school budgets; and

WHEREAS: In recent years, school districts and cities and towns have seen a calamitous reduction of state aid; and

WHEREAS: There exists a revenue/expenditure gap in the current budget; and

WHEREAS: Taxpayers are already burdened by some of the highest property taxes nationally; and

WHEREAS: School districts and cities and towns must comply with RIGL §44-5-2, that caps the property tax levy imposed by municipalities; and

WHEREAS: According to §16-2-9 (d) "The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt"; and

WHEREAS: Mandatory binding arbitration would deprive locally elected officials the ability to control the biggest component of local budgets; and

WHEREAS: The proposed mandatory binding arbitration legislation being advanced by their proponents (S-364, H-5340, H-5389) does not take in to account student welfare, conformation with existing property tax caps (R.I.G.L. 44-5-2), recognition of management responsibilities, the cost of implementing the Basic Education Program and other unfunded mandates; and

NOW THEREFORE BE IT RESOLVED: That the Town Council of the Town of Little Compton respectfully requests the Rhode Island General Assembly to oppose and reject any and all mandatory binding

arbitration legislation currently being considered for teacher and other school employee and municipal employee contracts; and

NOW THEREFORE BE IT FURTHER RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island Municipality, School Committee, State Senator, State Representative and the Governor.

WHERETO: The following bear witness: Robert L. Mushen, Town Council President

End resolutions.

Two (2) sealed bids have been received for the surplus tires advertised for sale by the Highway Department. Bids listed as follows:

Douglas Miranda – bid \$301

Cody Helger – bid \$425

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To award the purchase of four (4) used truck tires “Cooper, Discoverer, STT, M & S LT265/75R16” to Cody Helger for the amount of \$425.

Spectra Energy corporate owner of Algonquin Gas Transmission LLC has informed the town of their intent to improve a portion of the gas lines within Little Compton. Said improvement will be entirely on private property with existing easements and will not cross over West Main Road. Letters have been sent to the property owners effected

explaining the scope of the project. No town property is involved in this project. After a brief discussion the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To forward a copy to the LC Agricultural Conservancy Trust of communications received on an anticipated project to improve the Algonquin Gas Lines within Little Compton and to place the Council copy on file within the Record Vault.

Councilor Mushen suggested there may be a need for more than one part-time laborer for the upcoming months within the Maintenance Department. After consideration the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To advertise to receive applications for a part-time laborer in the Maintenance Department with a rate of pay not to exceed the provisional rate of \$14 per hour and a potential part-time work week of up to 40 hours, said job opening is a seasonal, temporary job with no benefits.

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

celebration normally held in August due to logistical problems with the use of the fields now used by the school department temporarily during the Wilbur School Renovation Project.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to complete an application for Community Development Block Grant Disaster Recovery Funds relating to expenses incurred as a result of Hurricane Sandy, including seeking reimbursement for costs related to South Shore Beach repairs, tree work, overtime for public safety personnel and funding for improvements to the generator at the Public Safety Complex.

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 draft an application for consideration by the Roger Williams University Community Partnerships Center for the summer/fall 2013 semesters. Said draft application shall be returned to a future Council meeting for final consideration prior to submittal.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To advertise for a part-time clerical position to serve as secretary to the Planning Board, Zoning

Board and the Building Official for a rate of \$14 per hour, no benefits, and no more than 10 hours per week.

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 respond to an inspection report for 30 and 32 Commons conducted by the Fire Department.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To write a letter of support to the Newport City Council for their efforts in amending legislation to allow limited video conferencing by advisory boards.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the Senior Tennis League to use the tennis courts from 6:30 am to 9:30 am on Monday, Wednesday and Fridays, March through December, subject to any school needs during school hours.

A question was raised concerning the fencing around the court and its condition. Councilor Mushen noted that the Recreation, Conservation and Open Space Committee is presently working with the US Tennis Association to coordinate repairs to the fencing.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To table until the April 4, 2013 Council meeting further discussion on a communication received from the Federal Emergency Management Agency concerning the modified Flood Insurance Rate Maps to allow the Building Official time to confirm any local requirements in order to be compliant.

Motion made by Councilor Golembeske, receiving a second by Councilor Mushen, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained: To place on file without further comment a Notice received of a Public Hearing of the Zoning Board of Review to hear a petition of the Sakonnet Yacht Club to seek a variance for a side-yard setback.

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

- 1. Copies of Resolutions adopted by the Westerly Town Council and Lincoln School Committee opposing mandatory binding arbitration legislation**
- 2. Copy of a Resolution adopted by the Lincoln School Committee opposing contract continuation**

3. **Copy of a Resolution adopted by the Lincoln School Committee seeking an amendment to teacher layoff notification dates**
4. **Copy of a Resolution adopted by the Exeter Town Council supporting the deletion of the option of single party (master lever) voting on ballots**

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$48,725.29

- Nationalgrid - Public Safety Complex \$536.15**
- Nationalgrid - Transfer Station \$58.24**
- Nationalgrid - Public Safety @ Transfer Station \$192.18**
- Nationalgrid - Adamsville Street Lights \$35.83**
- Nationalgrid - I.O.O.F. \$22.47**
- Nationalgrid - Town Hall \$183.40**
- Nationalgrid - Meeting Hall \$18.42**
- Nationalgrid - Street Lights \$14.59**
- Nationalgrid - Peckham Lot \$15.30**
- Nationalgrid - Town Dock \$27.32**
- Wilbur's General Store - Maintenance Dept. \$7.71**
- Wilbur's General Store - Town Hall \$11.27**
- R.B. Negus - Highway Dept. \$558.51**
- W.B. Mason - Treasurer \$56.10**
- J.P. Cooke Co. - Town Clerk \$76.28**

Allied Waste - Transfer Station \$3,841.07
Alarm New England, LLC - Town Hall \$317.97
Messenger Security Systems, Inc. - 32 Commons \$105.00
RI Interlocal Risk Management Trust - Insurance \$2,500.00
Petro - Maintenance Dept. \$584.12
Petro - Public Safety Complex \$1,825.97
General Treasurer of RI - Assessors \$48.98
Wimborne & Summertree, LLC - Assessors \$100.00
Vision Government Solutions - Revaluation \$16,252.74
Paychex of New York, LLC - Treasurer \$379.92
WB Mason - Clerk - Assessors \$80.33
Poland Springs - Town Hall \$15.01
Poland Springs - Maintenance \$7.55
KTR Maintenance & Supply LLC - Public Safety Complex \$1,040.00
KTR Maintenance & Supply LLC - Town Hall \$90.82
Gareth Eames - Building Official \$210.00
Rob's Auto Care - Drug Forfeiture \$65.00
Roger Williams University - Drug Forfeiture \$1,487.00
Verizon Wireless - Drug Forfeiture \$337.84 \$1,889.84
Belmont Springs - Police Dept. \$23.74
Cox Communication/Internet - Police Dept. \$171.00
Cox Communication/Telephone - Police Dept. \$177.20
Sakonnet Veterinary Hospital - Police Dept. \$420.00
Somerset Uniform & Supply - Police Dept. \$778.85 \$1,570.79
Direct Energy - Public Safety Complex \$611.75
Direct Energy - Transfer Station \$54.82

Direct Energy - Cell Tower \$210.93

Direct Energy - Adamsville Street Lights \$28.62

Direct Energy - Town Hall \$200.71

Direct Energy - IOOF \$13.02

Direct Energy - 32 Commons \$8.33

Direct Energy - Street Lights \$3.86

Direct Energy - Peckham Lot \$4.69

Direct Energy - Town Dock \$18.70

United Site Services - Transfer Station \$115.00

Valcourt Heating Inc. - 32 Commons \$198.00

Valcourt Heating Inc. - 32 Commons \$311.00

Verizon Wireless - Building Official/Highway \$66.29

Verizon Wireless - Transfer Station \$30.19

Verizon Wireless - Maintenance \$30.19

Verizon Wireless - Maintenance \$33.01

International Salt - Highway \$4,291.72

Kevin's Auto Parts - Ambulance Reimb. Account \$97.68

Tiverton Auto Body Inc. - Ambulance Reimb. Account \$15.00

Zoll Medical - Ambulance Reimb. Account \$160.98

Zoll Medical - Ambulance Reimb. Account \$387.93

Rob's Auto Care - Ambulance Reimb. Account \$20.00

Imperial Municipal Partners - Ambulance Reimb. Account \$244.80

Batteries Plus - Ambulance Reimb. Account \$103.80

Verizon Wireless - Ambulance Reimb. Account \$30.15

Verizon Wireless - Ambulance Reimb. Account \$40.03

Verizon Wireless - Ambulance Reimb. Account \$65.55

Boundtree Medical - Ambulance Reimb. Account \$78.34
Boundtree Medical - Ambulance Reimb. Account \$588.47
Firematic Supply Co. - Ambulance Reimb. Account \$14.00
Firematic Supply Co. - Ambulance Reimb. Account \$57.00
Don's Marine - Ambulance Reimb. Account \$340.32 \$2,244.05
Griggs & Browne - Fire Dept. \$50.00
Cox Communications - Fire Dept. \$179.78
Belmont Springs - Fire Dept. \$39.64
Messenger Security Systems, Inc. - Fire Dept. \$120.00
Target Solutions - Fire Dept. \$1,095.00 \$1,484.42
Carol A Wordell - Town Clerk \$446.49
ASM Stonescapes - Highway \$2,753.00
Susan Sisson - Director of Social Services \$1,250.00
Cox Communications - 32 Commons \$28.62
ACS - RI Historical Records Funds \$1,299.00
JC Helger Construction - Highway \$315.00

Motion made by Councilor Bodington, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 7:50 PM.

Carol A Wordell, Town Clerk