

Minutes of a Town Council meeting held on October 24th, AD 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 and Tom Dunn, Business Manager.

Pledge to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the October 10, 2013 Town Council meeting minutes.

Announcement:

1. It is the intention of the Town Council to discuss the potential increase of mooring fees at the November 7, 2013 Town Council meeting. If the subject is looked upon favorably a public hearing will be scheduled to consider amending the Town Code.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Fire Department Head Reports for August and September 2013.

It was noted that the Fire Chief is absent this evening due to the fact that he is attending a ceremony where his son, who is a Fire Fighter, and other Public Safety Officials are being honored for their bravery during recent events.

Councilor Mataronas noted that the Harbor Masters Boat and the Fire Department on-site and participated in a rescue call for a sail boat on the rocks.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Disbursement #14 for a total of \$39,170.48 from the Bond Anticipation Note proceeds concerning the Wilbur McMahon School Renovation Project to the following:

- \$1,756.00 payable to Geisser Engineering for testing.**
- \$1,550.00 payable Andelman & Lelek, commissioning services**
- \$15,361.48 payable to Durkee Brown Viveiros Werenfels, Architects**

- \$20,503.00 payable to the Town of Little Compton – reimbursement for fee paid to Edwards Wildman Palmer, LLP**

Councilor Mushen noted that the Town received approval on Oct 17, 2013 to move forward with the bond procurement process for the Wilbur-McMahon Renovation Project. He believes the project and its

funding is on schedule.

Thomas Alder, representing the Recreation, Conservation and Open Space Committee presented to the Council the recommendation of the RCOS Committee for the selection of an engineering firm for the Athletic Field Engineering Design Project. Mr. Alder noted that during interviews of the firms involved the following results were noted:

Lowest bidder – Marshall Gary Landscape Architects - the committee did not feel the firm was responsive to the work expected to be necessary on the athletic field and this firms bid proposal would not be sufficient to complete the tasks directed in the RFP - \$12,500

Next lowest bidder – Civil Engineering Concepts Inc. - a local firm, with which the committee has great confidence in, did not have a team in place with experience in athletic field designs of this type which did not meet the selection criteria in the committee's opinion. \$16,950

Next bidder – JJ Sports – this firm has experience with this type of athletic field designs and was responsive to the needs quoted in the RFP for work to be done. \$30,700

Next highest bidder – The Gifford Design Group Inc. – this firm has experience with this type of athletic field designs and was responsive to the needs quoted in the RFP for work to be done. \$37,375

Highest bidder – Gale Associates – chose to decline further participation in the selection process. No interview was conducted.

\$48,050

Councilor Bodington left the Council Chambers briefly from 7:12 pm returning at 7:13 pm.

Funds for this project will be used from the RCOS current appropriation, the Civic Recreation current appropriations and the Recreation Field Fund, which was funded through previous years surplus funds being ear marked for the renovation of the recreational field. A resident asked if the funds in this special fund were ear marked specifically ear marked for the engineering portion of the project, to which he was answered that the funds were ear marked in general for the overall project not the engineering phase specifically.

Councilor Mataronas made a motion, seconded by Council Golembeske to move forward with awarding the bid for the Athletic Field Engineering Design RFP to JJA Sports and to authorize the Recreation, Conservation and Open Space Committee to enter into a contract. During discussion it was noted that the Town Council should be the entity to contract with the firm for engineering services.

Comments were also made that the public will be able to discuss the matter at the November 21st Town Council meeting where the draft grant proposal for this phase of the project will be considered for authorization to be applied to RI Dept. of Environmental Management for a matching Grant Program. This phase of the project is a feasibility phase with the second phase covering the actual

engineering designs. It is anticipated that the grant application will be for the overall concept of the project. After discussion Councilor Mataronas and Councilor Golembeske amended their motion to the following:

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To award a bid for the Athletic Field Engineering Design to JJA Sports, LLC of 88 Chamberlain Rd, Westford, MA in the amount of \$30,700 based on the recommendation of the Recreation, Conservation and Open Space Committee and to further authorize the Council President, on behalf of the Town of Little Compton to enter into a contract with said firm for their services.

Councilor Golembeske abstained from any comments or discussion on the LC Game Club during the following matter. He did, however, ask if Church's in general were tax exempt through a specific law or regulation. He was informed that RI State Law dictates how much a Church may be exempt from property taxes.

A discussion then ensued relating to taxation or exemption on charities or 501(c)(3) entities. Not all 501(c)(3) entities are exempt on the local tax rolls. Some of those that are exempt are obviously entities that contribute something back to the town through some function of their mission. Bob Goff, Tax Assessor mentioned that his

office has polled fellow Assessor's receiving a varied level of answers.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To request the Tax Assessors to return on November 7, 2013 with a summary of the results of their research concerning exempting properties from taxation throughout the state, including a copy of the questionnaire used by another town.

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 enter into a contract with Pyro Engineering Inc. for a 2014 fireworks display if it is determined that the LC Village Improvement Society intends to hold its Annual Chicken Barbeque on Veteran's Field in August of 2014.

The Town of Middletown is creating a Unified High School Exploratory Committee. Two (2) Councilors from Middletown have met with Councilors Mushen and Golembeske and the LC School Committee Chairman to review their intended purpose. During this meeting it was made clear that the Town of Little Compton did not feel led to pursue establishing regional high school as we would be a small percentage of the whole. It seemed that our present agreement with the Town of Portsmouth worked well for our students.

Middletown wishes to continue with the pursuit and asks for the Town to participate in order to gather out input on the subject. The Councilors agreed it would be in the Town's best interest to have representation on this committee in an effort to keep apprised of the progress. Middletown would like to come on November 7th to make a presentation. After a brief discussion the following was voted:

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 respond to the Town of Middletown to coordinate a presentation to be given at the November 7, 2013 Town Council meeting on the subject of the establishment of a Unified High School Exploratory Committee, a decision on local representation on this committee will be made after the presentation.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): Due to the return of the Boston Post Cane by James Murphy who has moved to live with a son out of State the Town Council hereby votes to transfer the Boston Post Cane to Miss Lois B Almy, who has been determined to be the next cane recipient, at a presentation ceremony to be held at the Cornerstone Wellness Center on a date to be determined.

Motion made by Councilor Mataronas, receiving a second by

Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President to sign the new RI Substance Abuse Participation Act (RISAPA) between the RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals and the Town of Little Compton for funding of the Little Compton Prevention Coalition.

A resignation has been received from Fire Fighter Mark Reimels dated October 16, 2013, but effective October 17, 2013 due to extenuating circumstances. Chief Petrin has asked that Chapter 10-1.8 of the Little Compton Town Code be invoked to fill the vacancy.

During discussion it was noted that a part time fire fighter Jason DaSilva meets most of the Fire Department Entrance Requirements listed in Chapter 16-2.7, a lacking only in the administration of a written exam. After a brief discussion the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To make a provisional hiring, as per Chapter 10-1.8 of the Little Compton Town Code to hire Jason DaSilva, a part time fire fighter within the Little Compton Fire Department, as a full time Fire Fighter/EMT, contingent upon Mr. DaSilva fulfilling the eligibility requirements in Chapter 16-2.7 of the Little Compton Town Code.

At 7:56 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 allow the Town Clerk to advertise applications received by October 25, 2013 for the renewal of Beverage Licenses to be heard at a Remonstrant's Hearing on November 21, 2013.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter received from Walter C. Elwell, Special Event Chair of the LC Grange #32 reminding the Council of the Recognition of Veterans of World War II Event to be held November 20, 2013 at the LC Community Center at 7 PM.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter received from William L Moore, Director of Public Works stating that the re-paving of a portion of Willow Avenue will begin November 1, 2013, weather permitting.

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 from Richard S Humphrey, Town Solicitor to Edwards Wildman Palmer LLP supplying the Town's payment for legal services rendered in conjunction with the Wilbur-McMahon School renovation project.

2. Letter from Richard S Humphrey, Town Solicitor to Christopher J Behan, Esq. concerning office space and equipment owned by the LC Volunteer Fire Department

3. Second announcement of the RI Recreation Acquisition & Development Grants offered through the RI Dept. of Environmental Management. Information previously forwarded to the RCOS Committee

4. Letter from Police Chief informing the Council of his designation of Lt. Marion as Acting Chief during his absence Oct 19 to Oct 23

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: \$26,771.55

Rob's Auto Care - Drug Forfeiture \$35.00 \$35.00

K.T.R. Maintenance - Police Dept. \$45.17

Earl's - Police Dept. \$1,141.05 \$1,186.22

Tripp's Lawn Care Inc. - Cemetery Fund \$184.00

Firex, Inc. - Town Hall \$293.00

Firex, Inc. - 32 Commons \$33.00

Firex, Inc. - 30 Commons \$24.00

Firex, Inc. - Transfer Station \$21.00

Allied Court Reporters - Zoning \$125.00

Richard S Humphrey - Contingency \$63.00

Franlart Nurseries Inc. - Tree Warden \$1,550.00

Poland Spring - Town Hall \$17.80

Poland Spring - Maintenance \$4.76

LGCD - Auditing Services \$354.65

Steven F Rego Lawn Care - Civic Recreation \$500.00

Direct Energy - Peckham Lot \$16.05

Direct Energy - Street Lights \$4.62

Direct Energy - Meeting Hall \$9.99

Direct Energy - Town Dock \$16.28

Direct Energy - IOOF \$11.73

Direct Energy - Town Hall \$191.63

Direct Energy - Adamsville Street Lights \$31.72

Direct Energy - Cell Tower \$180.50

Richard S Humphrey - Town Solicitor \$3,675.00

Nationalgrid - Adamsville lights \$40.51

Nationalgrid - Town Hall \$187.83

Nationalgrid - IOOF \$22.07

Nationalgrid - Meeting Hall - 32 Commons \$20.49

Nationalgrid - Peckham Lot \$26.06

Nationalgrid - Street Lights \$15.53

Nationalgrid - Cell Tower \$177.58

Nationalgrid - Town Dock \$26.28

Edith Marion - Zoning - Planning - Building Official \$434.00

WB Mason - Board of Canvassers \$14.99

Matthew Bender & Co. - Town Hall \$138.34

Cox Communications - 32 Commons \$29.20

ACS - RI Historical Records Fund \$1,299.00

Tom's Lawn & Garden - Maintenance \$361.43

Markings Inc. - Highway \$3,883.90

BoundTree Medical - Transfer Station \$17.86

Tiverton Auto Body - Senior Bus \$100.00

M. & R. Feed Store Inc. - Fire Dept. \$124.40

Ken Lima - Fire Dept. \$575.80

Richard Pacheco - Fire Dept. \$441.40

Warren Fire Dept. - Fire Dept. \$217.50

BatteriesPlus - Fire Dept. \$108.00

K.T.R. Maintenance - Fire Dept. \$95.01

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

Robbs Auto Care, Inc. - Fire Dept. \$294.95

Cox Communications - Fire Dept. \$177.07

Firematic Supply Co. Inc. - Fire Dept. \$112.16

Boundtree Medical - Fire \$333.41

Firex, Inc. - Fire Dept. \$102.31

Firex, Inc. - Fire Dept. \$178.50

Firex, Inc. - Fire Dept. \$500.00

Specialty Vehicles, Inc. - Fire Dept. \$1,395.95

Specialty Vehicles, Inc. - Fire Dept. \$3,601.05

Northeast Rescue Systems - Fire Dept \$14.50

The Dawson Group - Fire Dept. \$413.90

The Dawson Group - Fire Dept. \$84.35

NFPA - Fire Dept. \$202.73 \$9,022.99

Tom's Lawn & Garden - Maintenance \$21.86

Paychex of New York LLC - Treasurer \$428.73

RI Association of Assessing Officers - Assessors \$40.00

Rob's Auto Care Inc. - Highway \$1,933.95

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 7:59 PM.

Carol A Wordell

Town Clerk