

Minutes of a Town Council meeting held on September 18th, A.D. 2014 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: Fire Chief Petrin with members of his department, Police Chief Marion with members of his department, Tom Dunn Business Manager, Richard S. Humphrey, Town Solicitor and many representatives from various Rhode Island Police Departments.

Salute to the Flag.

The Town Clerk administered the oath of office to Antone Marion, III as the new Chief of Police for the Little Compton Police Department. Chief Marion's son placed his new pin on his uniform. Chief Marion offered a few words of gratitude for all who have supported his recent appointment. All in attendance offered their congratulations.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): At 7:05 PM to take a brief recess to allow time for any attendees wishing to leave the meeting.

The Council President reconvened the meeting back into order at 7:09 PM.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move to this point in the meeting Old Business #1 – Receive suggested options from RI Dept. of Transportation for mitigation of the rumble strips/stripes on West Main Road; also accept any further letters of opinion regarding the roadway issue.

Councilor Mushen read the following proposal offered by RI Dept. of Transportation and received from Senator Louis DiPalma to those in attendance:

Shoulder Rumble-Stripe

It's planned that by before 11/15/14, RIDOT will cold plane 40" off both edges of the road $\frac{3}{4}$ - 1" deep, followed by paving with $\frac{3}{4}$ " to 1" of asphalt. This work would take approximately 15 days to complete. The work can be completed without being impacted by ambient temperature.

Center-line Rumble-Stripe

The centerline rumble strip would not be addressed as part of this operation, as performing the same operation as above would impact the crown of the road.

Next Spring, a rubberized chip seal contract would be bid and awarded to seal the entire 6 miles long road surface. This work must wait until spring next year as it is impacted by air temperature which has become too cold to allow bond to the existing pavement. The chip seal would be placed in a 3/8 inch lift. The edges of chip seal at the center of the road would be overlapped resulting in a double chip seal over the centerline rumble strip.

Questions or comments:

- 40” wide reference – does that mean the road will be widened? Question from resident. Answer by Council – We do not anticipate that is the intent of the 40”, but rather an effort to restore the edge of the existing roadway**
- Widening the road to allow ease for bikes should be encouraged as it would give added safety measures to the roadway – Comment from resident**
- Does the State have the funds available to complete the work? – Question from resident. Answer by Council – We are told the funds are available.**
- Do we know when West Main Road was scheduled next for re-paving? Question from resident. Answer by Council – we have not seen West Main Road listed for re-paving.**
- Some chip seal or paving materials are noisier than others, they want the quiet material. – Comment from resident**
- Why can't the center line be done now? Question from resident.**

Answer by Council – cold planing at this time may allow a heaving of the center of the roadway during winter months causing more problems. It seems to be appropriate to handle the center in the spring

• The intersection of West Main Road and Sakonnet Point Road is known for safety issues. Are there any discussions to alter this intersection to alleviate some of the dangers? Question from resident. Answer by Council – Although we recognize the concerns relating to this intersection this does not seem the appropriate time to try and rectify the safety concerns. This can be raised with RI DOT for a future review.

• Have paving experts been consulted to determine if the states suggestions and reasoning are valid? Question from a resident. – Answer by Council – We have not sought an independent opinion from experts in this field as of this time, but the Council is not opposed to obtaining an independent opinion.

• Most of the noise presently is from vehicles traveling over the center line. This means that annoyance will remain throughout the winter months. – Comment from a resident.

• Can we get the state to set a firm date for the spring work? And can we confirm when the full pavement of the road will be slated in the future? – Comments/questions from resident. Council commented that they will ask the state these questions.

• A resident wanted to make sure we thanked RIDOT for the work they have done to develop a plan to mitigate this problem

• Can we ask the state to lower the speed limit on West Main Rd? And

locally to add more police patrols? – Question from a resident.
Answer by Council – The Council will pose the question to the state regarding speed limits, police patrols can be handled locally.

- A resident believes the noise problem is not all from the rumble strips, but from motorcycles and other noisy vehicles
- A resident asked for copies of the proposal. Answer by Council – we do not have a formal proposal, but will supply copies as they become available.

Being 7:35 PM the Town Council sitting as the Board of License Commissioners opened a Remonstrant's Hearing regarding an application to transfer interest in Adamsville Wine & Spirits LLC from one partner to another. The Council President asked if anyone was present to comment regarding the application for transfer. No comments were received.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To close a Remonstrant's Hearing at 7:37 PM regarding an application for transfer of interest relating to Adamsville Wine & Spirits LLC, 81 Stone Church Rd, Adamsville, RI.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the transfer of 50% LLC interest and stock held by Robert DeFreitas to Timothy Pitts in

Adamsville Wine & Spirits LLC, 81 Stone Church Rd, Adamsville, RI, contingent upon meeting all state and local requirements.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the September 4, 2014 Town Council meeting minutes.

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 Officials Department Head Report for August 2014.

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 August 2014.

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 July and August 2014.

Susan Talbot, of the Sakonnet Garden Club discussed with the Council various concerns regarding Pikes Peak and the surrounding landscape as it relates to shrubbery and trees. She spoke of a grant

the garden club received from the RI Federation of Garden Clubs to install a Blue Star Marker to honor all members of the armed forces past, present and future. The area determined to house the marker is to the right of the WWII and Vietnam Memorials on Pikes Peak. This requires overgrown box woods to be removed. The club is hoping the town will be able to offer assistance to remove the box woods after which the club will replace the shrubbery. Mr. Rob Marra has volunteers to mount the plaque on a stone being secured, with a local resident volunteering to deliver the stone to the peak for placement.

Additionally it was noted that there are holly tree's overgrown in the cemetery which are full of bittersweet and an Elm tree that will need identifying and potential removal if determined to be a scrub elm. Certain areas within the cemetery are in need of repair and work, such as the steps into the cemetery that are being overtaken by a holly tree and some graves which are falling down.

Motion made by Councilor Appleton, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Director of Public Works to work with the Tree Committee and Tree Warden on the placement of the Blue Star Marker and landscape work on Pike's Peak.

Councilor Mataronas gave a brief review of the State Boat Ramp Repair Project, which has resulted in some confusion on the ownership of the real estate involved. The Town Solicitor noted that

in practice the Town has always believed the State of Rhode Island owned Plat 9, Lot 391, the property where the boat ramp is located. Although the State would like to see an easement granted the Solicitor would like to offer a Memorandum of Understanding to satisfy the use of the property by the state for the boat ramp.

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President and the Town Solicitor to create a Memorandum of Understanding (MOU) to be delivered to RI Dept. of Environmental Management recognizing the real property located at Plat 9, Lot 391 has been used and will continue to be used by the State of Rhode Island as a boat ramp at Sakonnet Point, contingent upon the execution of a MOU having no conflict in the Town Home Rule Charter.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Fire Chief to enter into a hosting agreement for the WeatherBug by Earth Networks for a location to be secured at the Public Safety Complex.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize repairs to be done to

the building located at 30 Commons to fix leaks and remediate any issues as a result of said leaks with a limit of \$5,000.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To concur with the decision of the Director of Public Works to release Requests for Proposals for sanding operations and leasing of a loader for use during winter storms.

Councilor Mushen asked his fellow Councilors as to their desire to set a date for 2015 Fireworks. The Councilors decided they would like to hold fireworks in 2015 but did not want to set a date at this time. No actions were taken.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To conduct a Public Hearing on October 23, 2014 beginning at 7 PM for the purpose of accepting public comments on the Home Rule Charter questions to be voted on at the November 4, 2014 Election.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret the resignation of Scott Morrison as a member of the Budget Committee.

Mr. Morrison's resignation will leave a vacancy on the Budget Committee, which is an elected position, elected at the Financial Town Meeting. A portion of Section 204 of the Home Rule Charter reads "Vacancies occurring in any such office following election as provided herein shall be filled for the remainder of the term by the unelected candidate for the vacated position with the highest number of votes from the most recent election to that position for Budget Committee or Beach Commission as appropriate, or if that person is unavailable or unwilling to serve, shall be filled by the Town Council".

Councilor Mushen interprets this section to mean the election at which the person vacating the position was elected. Using this interpretation the Council will need to fill the position as there were no unelected candidates from that election. The Town Solicitor stated that he concurs with this interpretation of the Charter.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept letters of interest for a vacancy on the Budget Committee.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret the resignation of William Monahan as a member of the Board of Tax Assessors effective immediately.

Due to the fact that the Council knew there would be a vacancy on the Board of Tax Assessors it has been posted on the weekly calendar to receive letters of interest for two weeks. The Town Clerk has received one letter of interest from a resident wishing to fill a vacancy on the Board of Tax Assessors.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept a letter of interest and appoint Robert J. Booth to serve the unexpired term of William Monahan as a member of the Board of Assessors until the certification of the November 4, 2014 Election.

At 8:17 PM the Town Council sitting as the Board of License Commissioners voted the following:

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Mataronas, Mushen) Councilor Golembeske abstained from voting: To grant a Class F-1 one day Beverage License to the Little Compton Game Club for a clambake to be held on September 28, 2014 at the John Dyer Road facility.

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

03-0413-00 Plat 028/ Lot 0015 \$128,000 \$721.92 2014

Carter, Paul S & Constance D

13-0175-00 Plat 004/ Lot 0048 \$187,000 \$1,054.68 2014

Macleod, Alexander H & McManus, Katherine D

13-1951-00 Plat 042/ Lot 0001-5 \$57,300 \$323.17 2014

Mora, Rene & Esmaragda

16-0870-00 Plat 009/ Lot 436 \$99,000 \$558.36 2014

Point Trap Co. Inc.

16-0870-00 Plat 009/ Lot 437 \$229,400 \$1,293.82 2014

Point Trap Co. Inc.

04-0590-00 Personal Property \$3,135 \$35.36 2014

DeSouza, Joseph F Jr.

A member of the audience commented that they did not agree with the interpretation of the Charter relating to filling the vacancy on the

Budget Committee and asked when the appointment for Budget Committee be handled. He was told that the vacancy would be posted for the next two weeks and received at the next Council meeting.

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To refer to Susan Sisson, Director of Social Services a communication received from “We R Group Hug” of Greenville, RI for her information.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To designate November as American Indian Heritage Month through the following proclamation:

PROCLAMATION

AMERICAN INDIAN HERITAGE MONTH 2014

Whereas, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

Whereas, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

Whereas, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States;

Now Therefore I, Robert L. Mushen, by virtue of the authority vested in me as Council President of the Town of Little Compton do hereby proclaim November as the American Indian Heritage Month in the Town of Little Compton, Rhode Island.

In Witness thereof, I have hereunto set my hand and caused the Seal of the Town of Little Compton to be affixed this 18th day of September in the year of our Lord 2014.

Robert L. Mushen, Council President

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to update as needed the Transfer Station Operating Plan and submit the renewal of the Transfer Station License, together with the \$3,000 license renewal fee, prior to expiration of the existing license period to RI Dept. of Environmental Management.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To post around Town copies of a flyer announcing events celebrating the 10 year anniversary of

bringing HOPE to Rhode Island by the Gloria Gemma Breast Cancer Resource Foundation and to encourage attendance to these events.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To acknowledge that Mrs. Sheila Oliveira, Deputy Town Clerk has volunteered to be a point of contact with the Gloria Gemma Breast Cancer Resource Foundation to participate in the “Paint Rhode Island Pink” campaign to foster awareness in recognition of October as Breast Cancer Awareness Month.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a communication announcing a check presentation scheduled for Sept. 24, 2014 by RI Resource Recovery Corporation of the FY2014 recycling profit sharing funds and to acknowledge that the Director of Public Works will attend this event on behalf of the Town.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$42,541.26

National Grid - Town Dock \$23.75

National Grid - Street Lights \$15.24
National Grid - Peckham Lot \$25.76
National Grid - 32 Commons \$19.33
National Grid - I.O.O.F. \$21.63
National Grid - Town Hall \$176.89
National Grid - Adamsville Street Lights \$34.15
National Grid - Public Safety @ Transfer Station \$242.56
National Grid - Public Safety Complex \$1,123.86
National Grid - Transfer Station \$35.24
Paychex of New York LLC - Treasurer \$505.27
Wilbur's General Store - Maintenance Dept. \$9.42
Wilbur's General Store - Town Hall \$13.98
Tripp's Lawn Care, Inc. - Cemetery Fund \$230.00
Cox Communications - Town Hall Depts. \$259.91
Cox Communications - Computers \$252.00
Sanmass Inc. - Civic Rec \$224.70
Sanmass Inc. - Civic Rec \$90.95
Home Depot - Maintenance - Town Hall - Transfer Station \$197.64
Allied Waste - Transfer Station \$11,209.39
Misc. election workers - Canvassers \$1,340.26
Petro - Diesel \$971.65
Petro - Gasoline \$2,822.84
Rob's Auto Care Inc. - Maintenance \$586.84
Alarm New England LLC - Town hall \$317.97
Messenger Security Systems Inc. - Town Hall \$123.96
Griggs & Browne - Maintenance \$225.00

RIBOA - Building Official \$420.00

Umass Conference Services - Building Official \$320.00

Richard S Humphrey - legal other \$1,363.00

Richard S Humphrey - Town Solicitor \$4,000.00

Richard S Humphrey - legal other \$1,566.00

Bartlett Tree Experts - Tree Fund \$200.00

Saunders Sales & Service LLC - Maintenance \$215.65

Saunders Sales & Service LLC - Maintenance \$58.86

Direct Energy - Transfer Station \$34.39

Direct Energy - Public Safety Complex \$820.09

Direct Energy - IOOF \$14.97

Direct Energy - Town Hall \$237.00

Direct Energy - Adamsville Lights \$32.84

Direct Energy - Cell Tower \$330.95

Direct Energy - Town Dock \$17.97

Direct Energy - Peckham Lot \$20.89

Direct Energy - Street Lights \$5.83

Direct Energy - Meeting Hall \$11.66

Poland Spring - Transfer Station \$8.01

Poland Spring - Town Hall - 30 Commons \$18.37

Carol A Wordell - Clerk - Canvassing \$120.83

WE Jackson & Co. - Assessors \$293.00

FR Modern Printing - Assessors \$285.95

RIAAO - Assessors \$50.00

RIAAO - Assessors \$100.00

Verizon Wireless - Building Official \$58.97

Verizon Wireless - Maintenance \$34.42

Verizon Wireless - Maintenance \$30.20

Verizon Wireless - Transfer Station \$30.22

Verizon Wireless - Drug Forfeiture \$293.78 \$293.78

Messenger Security Systems Inc. - Public Safety Complex \$120.00

Cox Communications - Police Dept. \$171.00

Cox Communications - Police Dept. \$202.11

Rob\'s Auto Care Inc. - Police Dept. \$543.84

Rob\'s Auto Care Inc. - Police Dept. \$75.00

Sakonnet Veterinary Hospital - Police Dept. \$440.00

KTR Maintenance & Supply - Police Dept. \$48.82 \$1,480.77

Ralco Electric Inc. - Town Hall \$625.00

Ralco Electric Inc. - Transfer Station \$625.00

Ocean State Truck & Diesel - Fire Dept. \$2,034.10

Belmont Springs - Fire Dept. \$13.91

Batteries Plus Bulbs - Fire Dept. \$39.95

KTR Maintenance & Supply - Fire Dept. \$48.82

Vic\'s Car Washes - Fire Dept. \$9.50

Goulart Petroleum Inc. - Fire Dept. \$162.68

Cox Communications - Fire Dept. \$179.68

Wilbur\'s General Store - Fire Dept. \$8.08

Dawson Group - Fire Dept. \$675.27

Dawson Group - Fire Dept. \$1,062.08

Ralco Electrical Inc. - Fire Dept. \$775.00

Griggs & Browne - Fire Dept. \$50.00

Standish Boat Yard Inc. - Fire Dept. \$148.86

Home Depot - Fire Dept. \$18.72

Clinical1 - Fire Dept. \$321.95

Verizon Wireless - Fire Dept. \$364.85 \$5,913.45

Andelman & Lelek Engineering Inc. - Capital Exp. -Bond \$1,375.00

Edith Marion - Building - Planning - Zoning \$308.00

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:30 PM.

Carol A Wordell, Town Clerk