

**Minutes of a Town Council meeting held on April 9th, A.D. 2015 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, Police Chief A. Marion, III and Tom Dunn, Business Manager.**

**Salute to the Flag.**

**The Town Clerk administered the oath of office to Lieutenant John G. Faria, Jr. due to his recent promotion from Sergeant to Lieutenant in the Little Compton Police Department. Chief Marion gave a brief review of Lt. Faria's employ with the Town and Mrs. Faria placed Lt. Faria's new badge on to complete the ceremony.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the Town Council meeting minutes from March 19, 2015.**

**Announcements:**

**1. Councilor Mushen stated that he intended to place on this evening's agenda a review of the Governor's FY2016 Appropriations Act which includes a statewide property taxation proposal. Since this**

**discussion is not on the agenda he will place it on the April 23rd agenda to consider a resolution opposing this proposal.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move to this point in the meeting Old Business #4 – update on the Race the State Rhode Island proposal by Julianna Barbieri of Manuka Sports Event Management.**

**Ms. Barbieri gave a brief update of the preparations currently underway to coordinate the August 8th event noting that she has met with the Harbor Master and discussed the matter with the Police Chief. Copies of an overview of the event were sent to the Town Council, Fire Chief, Police Chief and Beach Commission. Although they have volunteers to direct traffic flow they are willing to pay for any details required by the Town. The event is capped at 200 registrants, but notes that since this is the first year of this event it may be a smaller set of registrations. 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 approve for the Race the State Rhode Island event to begin in Little Compton at South Shore Beach at 6 am on August 9, 2015, contingent upon supplying an Indemnification Form and complying with request made of the Police**

**and Fire Department.**

**Mary L. Sahady, CPA of Hague, Sahady & Co. PC the Town's Auditors gave a presentation on the FY15 audit. Receiving no significant questions from the Council Ms. Sahady was thanked her for her time.**

**A request was made by Jennifer Grantham, Owner of Simmons Café & Marketplace for the Council to consider adding an additional Class BV-Limited Retail Beverage License to the Town Code. After a brief discussion the following was voted:**

**Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Mataronas, Mushen) Councilor Golembeske abstained from voting: To advertise to propose to amend the Town Code, Chapter 6 to add an additional Class BV-Limited Retail Beverage License and conduct a public hearing on April 23, 2015 regarding this matter.**

**Joseph Fraioli of SPI, Inc dba EarthCoupler Renewables gave a PowerPoint Presentation on a proposal for a town owned solar panel project to be considered for location at the Town Transfer Station. Mr. Fraioli request the Council advertise to receive Requests for Proposals for this project in order to apply for a grant where the filing deadline within a few weeks. The Council discussed how this proposal was worth looking into but they were concerned with**

**rushing into an RFP without doing more research on municipal solar fields. After discussion the following vote was taken:**

**Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To reconsider a proposal for a solar project submitted by Joseph Fraioli of SPI, Inc. dba EarthCoupler Renewables at the April 23, 2015 Town Council meeting.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move Communications #5 to this point on the agenda.**

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

**Resolved, the building official is authorized to issue a building permit to Edward H. Levine for construction of a second residence dwelling on Lot 44-4, Tax Assessor's Plat 46, with the limitation that the total number of bedrooms in the two dwellings shall not exceed five, and subject to the restrictions and limitations contained in the Agreement between Edward H. Levine and Joan C. Levine and the Town of Little Compton dated June 9, 1988, and recorded at page 461**

**of Book 73 of the Land Evidence Records of the Town of Little Compton:**

- a) Neither dwelling or any apartment within a dwelling may be rented to any person for any use whatsoever;**
- b) The variance permitting the construction of the second dwelling shall terminate upon the rental of a dwelling or apartment in a dwelling.**
- c) This resolution may be recorded in the Land Evidence Records of the Town of Little Compton.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the March 2015 Department Head Reports for the Building, Maintenance and Police Departments.**

**Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Girard Galvin, Esq. to serve as legal counsel for the Building Official in a matter before the Zoning Board concerning 11 Rhode Island Road.**

**Councilor Mushen noted that the School Committee voted to reduce its proposed FY2016 Budget and that he understood that the Budget Committee intends to discuss recommending further reductions**

**within the budgets proposals submitted during its meeting scheduled next week.**

**Councilor Mushen noted that the new Senior Transportation Van has been on four (4) successful trips since its implementation.**

**Another informational meeting of the Solarize RI program will take place Monday, April 13, 2015 in the Town Council Chambers beginning at 7 PM. This will be the second and final informational meeting on this matter.**

**A copy of the FY2016 Municipal Solid Waste Cap Allotments received from RI Resource Recovery Corp. was distributed. During discussion it was noted that all but two (2) towns received reductions in the allowable cap for FY2016.**

**Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President to transfer the Town's Leaf & Yard Waste cap allotment to a city or town should a request be made due to the fact that the Town does not deliver leaf or yard waste to the RI Resource Recovery Corp.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret a**

**resignation received from Tracy J. LePage as a part-time Public Safety Dispatcher and to authorize the advertisement of the vacancy to receive applications.**

**Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret a resignation received from Joseph Rochas as a member of the Beach Commission first announced on March 19, 2015, to acknowledge four (4) letters of interest have been received from interested resident who wish to fill Mr. Rocha's vacancy and to schedule an interview session to begin at 6 PM on April 23, 2015 with 10 minute sessions for each applicant.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To send a resolution or letter strongly opposing House Bill H5847 to Senate President Teresa Paiva-Weed, Speaker of the House Nicholas Mattiello, Senator Louis DiPalma and Representative Dennis Canario.**

**Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant the request of the Building Official/Director of Public Works to spend April 18th from 8 am to 3 pm at the Town Transfer Station to educate residents on**

**recycling benefits.**

**Richard S. Humphrey, Town Solicitor recused himself from the following two matters involving the LC Community Center.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the LC Community Center to use the first floor of 32 Commons while their second floor bathroom is under construction acknowledging that they will not be able to use the building when others are scheduled to use the facility.**

**At 9:02 PM the Town Council sitting as the Board of License Commissioners voted the following:**

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Class F one day Beverage License to the LC Community Center for a Twilight Night ballet performance by Island Moving Company at which wine will be served on May 2, 2015.**

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

## **Resolution**

**WHEREAS: RIGL 45-11-1 empowers municipal bodies with appropriation authority to establish a reserve fund which may receive any portion of surplus funds remaining; and**

**WHEREAS: Such funds are available to the municipality, temporarily, in anticipation of taxes, or for capital expenditures, only; and**

**WHEREAS: Rhode Island School Committees are not authorized to appropriate funds or establish a reserve fund in which to deposit surplus taxpayer monies for capital expenditures; and**

**WHEREAS: RIGL 16-7-23(b) expressly precludes a Rhode Island School Committee from returning surplus taxpayer monies to the municipality's reserve fund; and**

**WHEREAS: The taxpayers of Little Compton are periodically in need of funds for municipal department expenses, as well as capital projects.**

**NOW THEREFORE BE IT RESOLVED: that the Town of Little Compton and its duly elected representatives respectfully request that the Rhode Island General Assembly correct the conflict in RIGL to enable School Committees to return surplus taxpayers monies to**

**the City's or Town's appropriating authority for deposit in the corresponding municipality's reserve fund.**

**Approved by Town Council action on April 9, 2015**

**Robert L. Mushen, Town Council President**

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To fly the Armenian flag in memory of the martyrs of the Ottoman Turkish government's attempt to eliminate the Christian Armenians from their ancestral lands during World War I on April 24, 2015.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the Friends of the Brownell Library to use the town bulk rate permit for its annual fund raising mailer.**

**Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To refer a copy of a resolution adopted by the Smithfield School Committee concerning Women's History Month to the Little Compton School Committee for their review.**

**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 of Little Compton to use the Little Compton Tennis Courts from May 1, 2015 to October 31, 2015 from 7:30 am to 9:30 am, subject to the limitations that may exist during construction of the recreational field project.**

**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. Copy of a Public Notice received from Coastal Resources Management Council proposing to repeal the FRMC Federal Consistency Manual as it is a stand alone federal document and not a state regulation**
- 2. Memo from the Fire Chief noting his designation of Captain Amarantes to be in charge during his absence from town while attending the Congressional Fire Service Institute Conference.**
- 3. Announcement from RI Dept. of Environmental Management for a workshop held April 9, 2015 to discuss update to the list of impaired waters and a draft document assessing quality of the State's waters.**
- 4. A letter from Susan St. Martin recommending individuals and organizations who wish to sustain deer on their property be encouraged by law to feed them in the winter and to keep the size of**

**their herds in the right relationship to their acreage**

**5. Copy of a Memorandum of Agreement between the Town of Little Compton and Stay at Home In Little Compton, Inc. for senior van transportation**

**6. Letter received from the Sakonnet Preservation Association expressing gratitude for the tax exemption status granted to a fee property recently donated the Association**

**7. Copy of a resolution adopted by the Hopkinton Town Council opposing H5044, S0559 and H5173 legislation relating to levy and assessment of local taxes**

**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: \$61,804.90**

**AAA Police Supply - Drug Forfeiture \$167.40**

**D & D Overhead Garage Door LLC - Drug Forfeiture \$310.00**

**John W Kennedy Co - Drug Forfeiture \$113.00 \$590.40**

**Rob's Auto Care Inc - Police Dept. \$885.47**

**Rob's Auto Care Inc - Police Dept. \$45.00**

**Wilbur's General Store - Police Dept. \$9.16**

**Vic's Car Washes - Police Dept. \$9.50**

**Belmont Springs - Police Dept. \$34.00**

**Earles Service Station - Police Dept. \$20.50**

**WBMason - Police Dept. \$228.07**

**BlackBoard Inc - Police Dept. \$1,249.75 \$2,481.45**

**BlackBoard Inc - LC Emergency Management Funds \$1,249.75**

**LexisNexis Matthew Bender - Town Hall \$111.74**

**Xerox Business Services LLC - Doc Preservation funds \$1,299.00**

**Nationalgrid - street lights \$24.63**

**Nationalgrid - street lights town dock \$44.63**

**RI Association of Assessing Officers - Assessors \$100.00**

**Richard S Humphrey - legal services \$1,371.75**

**Richard S Humphrey - legal services \$914.50**

**Richard S Humphrey - legal services \$1,596.50**

**Paul's Press - Budget Committee \$273.00**

**Sakonnet Plumbing & Heating Inc. - Public Safety Complex \$149.75**

**Home Depot - Town Hall \$34.12**

**Larry McCarthy - Senior Transportation \$40.00**

**Rob's Auto Care Inc. - Maintenance \$652.80**

**Petro - gasoline \$1,362.90**

**Petro - gasoline \$2,558.59**

**Paychex of New York LLC - Treasurer \$421.05**

**Craig Curtis - Budget Committee \$573.18**

**LC School Dept. - Gym Comm \$60.52**

**LC School Dept. - Gym Comm \$390.30**

**Banners & Flags - Town Hall \$400.00**

**Cox Communications - 32 Commons \$32.96**

**Paul Benjamin - Computer \$24.89**

**RITCCA - Town Clerk \$60.00**

**Valcourt Heating - 32 Commons \$533.75**

**Paul's House of Flowers - Contingency \$69.00**

**WBMason - Clerk - Fire Dept. - Town Hall \$72.04**

**Zoll Medical Corp. - Ambulance Reimb. Fund \$1,400.00**

**Aire Cleaning Specialists of NE, LLC - Amb. Reimb. Fund \$368.48**

**BoundTree Medical - Amb. Reimb. Fund \$174.15**

**BoundTree Medical - Amb. Reimb. Fund \$88.59**

**Clinical1 - Ambulance Reimbursement Fund \$185.50**

**Firematic Supply Co Inc. - Amb. Reimb. Fund \$238.63**

**LG Communications - Ambulance Reimb. Fund \$786.00 \$3,241.35**

**Wilbur's General Store - Fire Dept. \$24.97**

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

**Tripp - Batteries Plus - Fire Dept. \$99.90**

**Messenger Security Systems Inc. - Fire Dept. \$152.50**

**Messenger Security Systems Inc. - Fire Dept. \$179.36**

**RISFL - Fire Dept. \$100.00 \$566.23**

**NFPA - Fire Dept. fire prevention fund \$1,255.50**

**Rob's Auto Care Inc. - Fire Dept. fire prevention fund \$2,022.86 \$3,278.36**

**Edith Marion - Zoning - Planning - Building \$238.00**

**Helger Bros. LLC - Harbor Management Fund \$100.00**

**State of Rhode Island - Assessors \$80.00**

**Wilbur's General Store - Town Hall \$22.90**

**Wilbur's General Store - Maintenance \$7.29**

**Direct Energy - Lights Town Dock \$11.95**

**Direct Energy - Street Lights \$11.27**

**EastBay Newspapers - Zoning \$135.45**

**Cox Communications - Town Hall departments \$245.91**

**Cox Communications - Computer \$252.00**

**Fisher Bus Inc - Senior Busing \$225.00**

**Fisher Bus Inc - Senior Busing \$225.00**

**Atlantic Flag & Banner - Town Hall \$390.00**

**Postmaster - Treasurer \$196.00**

**Tiverton Sign Shop - Public Works \$342.00**

**JC madigan Inc. - Highway \$936.38**

**William L Moore - Inspections \$600.00**

**Weston Thurston - snow plowing \$1,734.00**

**David Sisson Contracting - sanding \$4,030.00**

**Frank Rego - snow plowing \$876.00**

**JCHelger Construction - sand \$744.00 \$7,384.00**

**Goulart Petroleum Inc - Public Safety Complex \$845.34**

**Goulart Petroleum Inc - Public Safety Complex \$782.79**

**Rich McGee and Son Excavating - Highway \$197.50**

**Rich McGee and Son Excavating - Highway \$395.00**

**PJ Keating Co. - Highway \$299.60**

**Sakonnet Tree, Inc. - Tree Warden \$1,816.00**

**Mello's Diesel Serv. Inc. - Highway \$215.58**

**Pioneer Heavy Duty Parts - Highway \$52.11**

**RI Public Works Assoc. - Public Works \$10.00**

**Dave Venancio - Inspections \$750.00**

**Tiverton Materials - Highway \$145.80**

**Marion Welding Inc. - Highway \$35.00**

**TBNG Consulting - grant RIEMA & computer \$11,889.30**

**Sakonnet Tree, Inc. - Pikes Peak Project \$2,544.33**  
**Paychex of New York LLC - Treasurer \$421.85**  
**Nationalgrid - Public Safety Complex \$1,054.89**  
**Nationalgrid - Transfer Station \$110.02**  
**KTR Maintenance & Supply - Public Safety Complex \$1,170.00**  
**Rich McGee & Sons Excavating - capital expense \$2,687.50**  
**Susan Sisson - Director of Social Services \$400.00**

**At 9:09 PM the Town Council took a brief recess to allow the public to leave the Council Chambers prior to entering into executive session.**

**Carol A Wordell, Town Clerk**

**The Town Council reconvened into open session at 9:11 PM with the Town Council President polling his fellow members as to their wishes to enter into executive session under RIGL Section 42-46-5(a)(2) collective bargaining for the LC Municipal Employees Union NEARI and Local 3957 IAFF. All voted in favor: Appleton, Bodington, Golembeske, Mataronas, Mushen.**

**Attendees during the executive session: 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.**

**Discussion of ongoing collective bargaining with both unions sited.**

**At 9:48 PM the Town Council President polling his fellow members as to their wishes to come out of executive session under RIGL Section 42-46-5(a)(2) collective bargaining for the LC Municipal Employees Union NEARI and Local 3957 IAFF. All voted in favor: Appleton, Bodington, Golembeske, Mataronas, Mushen.**

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 9:48 PM.**

**Robert L Mushen, Clerk Pro-tem**