

Minutes of a Town Council meeting held on September 10th, 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 (arrived at 7:05 PM), Fire Chief R. Petrin and Tom Dunn, Business Manager.

Salute to the Flag.

The first item on the agenda was to open a Public hearing to accept comments from the public regarding any past history and experiences they may have had during naturally hazardous events such as hurricanes, nor'easters, blizzards or other similarly natural occurrences. This public hearing is being held as part of the development of the Hazard Mitigation Plan for the Town of Little Compton. The Hazard Mitigation Plan will be a plan used to recognize those natural hazardous that could affect Little Compton, what past vulnerability has occurred and how the Town can work towards mitigating the extent of risk factors that affect the community. The Council President asked those in attendance if they had any comments to share for the record. Twenty-nine (29) residents were in attendance. No comments were raised.

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

Golembeske, Mataronas, Mushen): Receiving no public comments the Town Council hereby votes to close this public hearing concerning hazard mitigation planning.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the August 20, 2015 Town Council meeting minutes.

Announcements:

1) A letter received from Mimi Karlsson will be placed on the September 24, 2015 Town Council meeting agenda. This letter was not received in sufficient time to have been placed on tonight's agenda.

2) A questionnaire has been delivered to all postal patrons in Little Compton. The residents are encouraged to complete and return the questionnaire. The data gathered from this questionnaire will be used in the development of a Hazard Mitigation Plan for the town.

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 July 2015 Department Head Report.

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 April – July 2015.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for August 2015.

Richard Humphrey, Town Solicitor arrived at 7:05 PM.

Chief Petrin reported that he has signed an agreement through the Massachusetts State Bid process to secure a new wireless alarm system to replace the land-line alarm system presently used between the Public Safety Complex and local businesses. Utilizing this bid process is saving the town approximately \$20,000. He intends on notifying the local businesses of the change and running the current system in parallel until the businesses all have an opportunity to switch over. This new system should save the businesses in the long run because they will no longer need to pay for a land-line for the system to function.

Councilor Mushen reported that a Request for Proposals has been advertised and distributed to twelve (12) known firms to the restructuring of the recreational field at the Peckham Lot, the removal and replacement of the tennis courts, and the figure 8 walking path

for the Peckham Lot Project. Bids should be returned by September 28th. It is hopeful that this project will begin in the fall with seeding to take place in the spring. Councilor Mushen will ask at the September 24, 2015 meeting for a process to be established to allow the bids to be opened and awarded upon receipt on the 28th of September. He explained that the project has been bid in phases, the well installation, the larger portion of the restoration and work on the Memorial Stonewall. He intends to ask for input from those residents who were involved with the initial stonewalls dedication.

Old Business #3 – Request from Jim Tumber for a report of the Council’s investigation of the Alex and Ani Summer Concert Series as requested by the Sakonnet Vineyards abutting neighbors.

Discussion:

- A meeting has been scheduled for the Council President to meet with the owner or her representative of Carolyn’s Sakonnet Vineyard and their attorney on September 17th at 10 am.**
- The town intends to express the concerns raised regarding the operation of the concert series this season.**
- Will speak to the intensity and how it relates to our existing ordinances and what may need to be reviewed**
- Can the town council do anything to get the LC Agricultural Conservancy Trust to work with the vineyard as their operations relate to the covenants that are imposed on this property**

- **Acknowledge that the residents want the vineyard to succeed, but desire to see it reduce the intensity of the events**
- **The Councilors all attended in some fashion a Thursday evening event. The first attendance resulted in the intensity being reduced, the second event showed an increase in the level of noise and activity.**
- **The intensity is more than just the music – it is the volume of the music, the volume of vehicles coming (300-500), attendants collecting parking fees and directing parking, cars driving over the gravel roadway coming in, music amplified including drums and random call outs wondering if the attendees are having fun, then when they are leaving the reverse occurs, gravel noise, heightened volume of excited attendees some of whom have been drinking, extremely bright lights, lights from the headlights continually crossing through house windows, backup waiting to exit onto West Main Road and all this about 10:30 at night.**
- **Another mentioned that the lighting can be seen from Peckham Road**
- **Can the Council address the wedding events as well since they are also have volume problems and an intensity that is increased as compared to the former owners.**
- **Amy Veri did call the police department on several occasions. The officers came in her house to hear the volume of sound from that perspective. She does not want the vineyard hiding behind the Right-to-Farm Act which does not cover amplified music. She supplied the council with copies of two court cases involving**

wineries and musical events.

- **Jay Miller, 11 High Meadow Rd – purchased his land in December of 2014 having paid in excess of \$30,000 to the LC Agricultural Conservancy Trust. He wondered if the money was indeed going towards preserving open space and enforcing the covenants placed on the properties held by the LCACT keeping Little Compton a rural town as the initial mission of the LCACT intended.**
- **A resident commented that excessive light pollution messes with the migratory birds.**
- **A question was raised as to whether or not sufficient port-a-jons are made available for the volume of people at these events. Another resident commented that he never sees any additional port-a-jons come in for special events. Does the town or the state have any regulations over port-a-jons?**
- **Bob Rottman does not feel the music is agricultural.**
- **The LCACT reports to the Town Council, but also has rights through the enabling legislative act which established the trust.**
- **This issue is greater than any other situation the town has had in the past regarding stewardship of LCACT property nothing comparable from past history.**
- **The Town Solicitor feels this is a good opportunity to review the functions of the LCACT to determine if the town wishes to remain a trust to acquire land or move into a functioning trust that serves more to steward the land.**
- **The Town Solicitor feels some of the items need addressing are noise, lights and traffic problems.**

- **Linda Veri expressed concerns with the volume of attendees leaving who have been drinking.**
- **The stage/band stand is pointed towards the homes causing the bulk of music to be directed towards the homes not away.**
- **Barbara Passmore expressed a concern that the owner of the vineyard hasn't attended any of the meetings. She would like to see a meeting with the LCACT, the TC, the owner of the vineyard and the public. It was noted that there have been three (3) opportunities for the owners to have attended a meeting where the neighbors concerns have been discussed.**
- **Linda Veri asked to whom the Entertainment License was issued. Ans. Dionysus LLC d/b/a Carolyn's Sakonnet Vineyard. She then commented that the concert series is being operated by Alex and Ani Entertainment**
- **The town is reviewing the "band stand" to see if it is qualified as the one remaining building that was allowed to be constructed under the LCACT covenants.**
- **The Town Solicitor asked that the record show that he wants a stenographer ordered for the November 19, 2015 Board of License Commissioners license renewal Remonstrant's Hearing. He anticipates the need to document the hearing in detail and advised that those who wish to be heard should be prepared to give testimony for or against the renewal of the entertainment license under oath.**
- **Another expressed concern that she had heard rumors that underage drinking was occurring. She was advised that there has been a police detail hired for some of the events. The Council has not**

documentation on that subject.

- **The Council President noted that he hoped to give a report in two (2) weeks at the September 24, 2015 meeting and after the meeting is held on the 17th.**

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Councilor Mushen to serve as a member of the Wilbur McMahon School Strategic Plan Committee.

The following bid proposals were received for the purchase of a new hoist for the town dock:

St. Pierre \$15,401.11

317 East Mountain Street plus FOB shipping TBD

Worcester, MA 01606 plus \$962.57 tax

FS Industries \$19,556.96

PO Box 72659 plus \$360 freight

50 Sprague St

Providence, RI 02907

MASS Crane & Hoist \$17,200 delivered and installed

72 Progress Ave

Tyngsboro, MA 01879

**Hoist Direct Inc \$14,250 including delivery
123 Charter ST
Albemarle, NC 28001**

**Ace Industries Inc \$15,606.95
6295 McDonough Drive plus collect shipping
Norcross, GA 30093**

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To allow Councilor Mataronas and the Harbor Master to review the five (5) bids received for the purchase of a new hoist for the Town Dock and to be authorized to award to the most responsive and responsible bidder.

A non-resident property owner expressed a desire to obtain some form of permit to allow him to deliver debris/solid waste to the Town Transfer Station even though he does not reside in town. He explained he is cleaning up the property he obtained earlier this year, which is rented to a local resident, but still needs some clean up of the land itself. The Councilors agreed that the current ordinances did not allow for that type of permitting. After a brief discussion the Town Council voted the following:

Motion made by Councilor Mushen, receiving a second by Councilor

Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To direct a non-resident rental property owner that he should obtain a dumpster to collect and remove debris from the land he recently purchased.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To terminate the contract for cleaning services at the Public Safety Complex with KTR Maintenance & Supply LLC at the earliest opportunity and to authorize an advertisement to solicit cleaning services.

A copy of the “Summary of the 2015 Legislative Session” received from RI Statewide Planning acknowledges that the freshwater wetland setback regulations will be changing. Municipalities have twelve (12) months after the effective date of the state regulations to amend their zoning ordinances to conform to the new legislation. A Councilor asked what would happen if the town chose not to amend its zoning. The Solicitor stated that he did not know what the state would do if the town did amend our ordinances to comply with this new law. He felt they could choose to fight our lack of action or simply ignore the matter. No actions were taken.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the “Draft RI

Shelter and Coordination Plan 2015” received from RI Emergency Management Agency.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To direct the DPW Director to make correct deficiencies found by the Little Compton Fire Department on 11 August 2015 in the Town Hall.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the expenditure of up to \$50 to secure town-related items which will be assembled into a basket to be donated to the James L Maher Center for its annual celebration and fund raising silent auction.

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

Messier, Richard 001/0054 \$54,600 \$313.95 2015

13-1554-00

Cook, Steven L. 040/0032 \$328,700 \$1,890.03 2015

03-1400-00

Peckham, David W. 2003 Ford F150 \$907 \$12.61 2015

16-0494-10

Mosher, Charles R. Jr. 026/0025 \$44,900 \$258.18 2015

& Julie 13-2080-00

Cawley, Darrah L. 032/0062 \$337,700 \$1,941.78 2015

03-0637-00

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 communicate in writing to Police Chief Marion acknowledging a letter received from Mr. Barry Wordell in which he commends the Chief and his department in providing emergency care involving his granddaughter.

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 communicate in writing to Mr. Bernard Connelly to answer his inquiries regarding the removing of the rumble strips on

West Main Toad by the State of Rhode Island.

Motion made by Councilor Bodington, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To forward to the Highway Supervisor/Director of Public Works a communication from the RI Dept. of Transportation announcing the Municipal Road and Bridge Revolving Fund 2016.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file consent calendar item #1 - Copies of resolutions adopted by several cities and towns regarding support of the Quonset Air Museum (Burrillville, Hopkinton, Newport).

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: \$62,485.90

Sakonnet Plumbing & Heating - Public Safety Complex \$70.00

Russell L Sisson & Sons - Town Hall \$347.00

Home Depot - Maint - Hwy - Fire \$63.88

WB Mason - Business Mngr - Treasurer - Town hall \$108.03

WB Mason - MEDS funds \$36.36

Allied Court Reporters - Zoning Board of Review \$125.00

Xerox - Town Clerk \$1,299.00

Paychex of New York LLC - Treasurer \$366.69

Northeast Sanitation Corp. - Civic Rec. \$224.36

Northeast Sanitation Corp. - Civic Rec. \$92.00

Cox Communication - 32 Commons \$34.14

Safeguard - Treasurer \$45.26

United Site Services - Transfer station \$115.00

Petro - Gasoline \$1,749.51

Verizon - Wastewater Treatment Facility \$53.73

Edith Marion - Bldg - Zoning - Planning \$301.00

Direct Energy - Street Lights \$9.62

Direct Energy - Street Lights Town Dock \$10.20

Richard S Humphrey - Town Solicitor \$4,083.34

Richard S Humphrey - legal services \$62.00

Richard S Humphrey - legal services \$341.00

Nationalgrid - Town Dock \$48.01

Nationalgrid - Street Lights \$26.96

Maguire Equipment - Transfer Station \$285.00

Goulart Petroleum Inc. - Public Safety \$318.82

Seekonk Supply Inc. - Highway \$126.96

Markings Inc - Highway \$4,476.47

Rob's Auto Care Inc. - Maintenance \$173.25

Valcourt Heating Inc - Public Safety Complex \$283.50

Tiverton Materials - Highway \$259.23

Ralco Electric Inc. - Cell Tower Tr. Station \$625.00

Ralco Electric Inc. - Public Safety Complex \$775.00
Ralco Electric Inc. - Town Hall \$625.00
Madden Electric - Town Hall \$167.20
EJ Tripp Lawn Care Inc. - Almy Cemetery \$184.00
Northeast Sanitation Corp. - Civic Rec. \$92.00
WB Mason - Clerk - Town Hall - Assessors \$384.05
Valcourt Heating Inc - Public Safety Complex \$89.00
EastBay Newspapers - Probate \$40.00
EastBay Newspapers - Tr. Station - Clerk - Harbor \$277.20
Petro - Diesel \$527.90
Wilbur's General Store - Town Hall \$8.79
Wilbur's General Store - Maintenance \$8.46
Cox Communication - Computer \$252.00
Cox Communication - Town Hal Depts. \$262.49
WE Jackson & Co - Assessors \$286.00
Robert Booth - Assessors \$1,326.92
Leonard Duckworth - Assessors \$1,326.92
Robert H Goff Jr - Assessors \$1,326.91
LC Food Bank - contingency \$100.00
Modern Printing - MEDS funds hazard mit. Plan \$495.00
Nationalgrid - Public Safety Complex \$1,294.47
Nationalgrid - Transfer Station \$41.83
Alarm New England LLC - Town Hall \$317.97
Tiverton Sign Shop - Transfer Station \$220.00
Tiverton Sign Shop - Transfer Station \$185.00
Dave Venancio - Inspections \$720.00

University of Massachusetts - Building Official \$310.00

William L Moore - Inspections \$420.00

Rich McGee & Son Excavating - LCFD training area \$429.00

Rich McGee & Son Excavating - Transfer Station \$297.00

Republic Services - Transfer Station \$9,374.50

Verizon Wireless - Ambulance Reimb. Fund \$123.20

Vic's Car Washes - Ambulance Reimb. Fund \$9.50

Shipman's Fire Equip Co Inc - Ambulance Reimb. Fund \$154.95

Pioneer Heavy Duty Parts - Ambulance Reimb. Fund \$133.92

NE Assoc. of Fire Chiefs Inc. - Ambulance Reimb. Fund \$25.00

BoundTree Medical - Ambulance Reimb. Fund \$109.42

BoundTree Medical - Ambulance Reimb. Fund \$69.58

Dawson Group - Ambulance Reimb. Fund \$585.79

M & D Canvas - Ambulance Reimb. Fund \$370.00

Ocean State Truck & Diesel - Amb. Reimb. Fund \$1,220.31 \$2,801.67

NFPA - Fire Prevention Fund \$165.00

Messenger Security System - Fire Dept. \$75.00

Messenger Security System - Fire Dept. \$278.90

Belmont Springs - Fire Dept. \$20.56

CS&M - Fire Dept. \$142.49 \$516.95

Verizon Wireless - Transfer Station \$30.27

Verizon Wireless - Building Official \$59.21

Verizon Wireless - Maintenance \$30.27

Verizon Wireless - Maintenance \$37.25

AAA Police Supply - Drug Forfeiture \$626.00

IACP net - Drug Forfeiture \$525.00

Verizon Wireless - Drug Forfeiture \$278.79
RI Attorney General - Drug Forfeiture \$30.00 \$1,459.79
Thomas Wood - Ambulance Reimbursement Fund \$400.00
3M Cogent Inc - Ambulance Reimbursement Fund \$2,360.00 \$2,760.00
Sakonnet Veterinary Hospital - Police Dept. \$62.00
Sakonnet Veterinary Hospital - Police Dept. \$440.00
Rob's Auto Care Inc. - Police Dept. \$15.00
Vic's Car Washes - Police Dept. \$28.50
KTR Maintenance & Supply LLC \$93.25 \$638.75
Helgers South Coast Power Equip. - Maintenance \$9.95
Kevins Auto Parts Inc - Maintenance \$91.74
Tom's Lawn & Garden - Maintenance \$91.39
Modern Printing - Assessors \$389.35
Vision Government Solutions - Revaluation \$3,706.38
David Sisson Contracting - Highway \$5,073.00
Rich McGee & Son Excavating - Transfer Station \$1,925.00
JG Coffey Co - civic rec - basketball court repairs \$4,375.00

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:31 PM.

Carol A Wordell
Town Clerk