

Minutes of a Town Council meeting held on March 10, A.D. 2016 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: Police Chief A. Marion, III, Tom Dunn, Business Manager, William Moore, Building Official/Zoning Zoning Enforcement Officer/DPW Director and Richard S. Humphrey, Town Solicitor and Girard Galvin, Esq. Alternate Solicitor for Stone House matters.

Pledge to the Flag.

A Moment of Silence was held for Jane Cissell a long time resident of Little Compton, for former First Lady Nancy Reagan and for David Harlow the husband of a local school teacher and a resident of Little Compton.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas) Councilor Mushen abstained from voting: To approve, as written the Town Council meeting minutes of February 18, 2016.

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

Golembeske, Mataronas, Mushen): To move New Business #3 – LC Historical Society to the front of the agenda then move Old Business # 2 and 4 to immediately after New Business #1 in order to allow a better flow of the agenda items.

Marjorie O’Toole, Managing Director, Little Compton Historical Society presented a request for permission to erect a permanent monument in the Old Burying Ground on the Commons commemorating the lives of approximately 200 enslaved people who lived and worked in Little Compton from 1675 to 1817. She noted that the Historical Society has done extensive research on this subject and would like to install the monument at their own expense. The monument would be place in the row known as “Slave Row”.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve a request received from the LC Historical Society to erect a permanent monument in the Old Burying Ground on the Commons commemorating the lives of approximately 200 enslaved people who lived and worked in Little Compton from 1675 to 1817, to be located in “Slave Row”.

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 Report for January 2016.

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 February 2016.

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 February 2016.

Old Business #1 – Consideration of a request for waivers received from Carolyn’s Sakonnet Vineyard for eight (8) weddings under contract prior to the execution of the new ordinances relating to noise and entertainment.

Councilor Mushen gave a synopsis of his view of the matter at hand through the following four (4) points:

1) Noise. Councilor Mushen suggests that the waiver request is not against the noise ordinance as it does not seek relief from any portion of that ordinance, but rather seeks a one hour relief of the time for conclusion on outdoor entertainment, but vows to adhere to the noise ordinance levels in place for that hour.

2) Precedent. Councilor Mushen expects, if a decision is made, to be very clear that any waivers granted would be specific to the weddings

that were under contract prior to the establishment of the new ordinances and could not be presumed to set a precedent for future waivers.

3) Bad Faith. Councilor Mushen has no good answer for those who feel the Vineyard is not acting in good faith. There is no evidence one way or the other to prove a bad faith attitude. In his opinion they have the Vineyards attention.

4) Licensing process. Councilor Mushen feels the licensing process is still underway. They thought they would have had the LCACT response for this evenings meeting, but a personal situation arose with the LCACT which caused the meeting to have been postponed until next Wednesday.

Councilor Mataronas feels that the Council should not consider the waivers until the Vineyards application for the Entertainment License has been received. He was willing to work on a compromise, but not until all of the facts are in place. He is hoping to handle on the 24th of March.

The Solicitor suggested that waivers should not be granted until the new Entertainment License is issued as the waivers are related to that license not the current license about to expire.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To defer consideration of a

request for eight (8) specific waivers to the newly adopted entertainment license ordinance as received from Carolyn's Sakonnet Vineyard until such time as the Town Council has the Vineyards new Entertainment License Application for review and potential approval, including supporting documents. It is intended to consider said license application and waiver request at the March 24, 2016 Town Council meeting.

Three (3) applications have been received to date for Entertainment Licenses under the new ordinance:

The Crow, Inc. d/b/a Crowther's Restaurant for premises located at 90 Pottersville Rd

StoneHouse Resorts, Inc. d/b/a Stone House for premises located at 122 Sakonnet Point Rd

Little Compton Community Center for premises located at 34 Commons

The Councilors made the following observations:

Crowther's Restaurant is indoor entertainment. No questions received from the Councilors.

The Community Center is a non-profit and as such under the new ordinance they are exempt from filing.

Motion made by Councilor Golembeske, receiving a second by

Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To return an application for an annual Entertainment License to the LC Community Center with their application fee of \$75 as they are a qualified non-profit which is exempt from licensing for entertainment.

Richard S Humphrey announced that he will be recusing himself from any matters involving the Stone House as his nephew is under contract for a wedding to take place at the Stone House. Attorney Girard Galvin has been retained to serve as Alternate Solicitor for the Stone House matters. Attorney Humphrey left the dais and the meeting. Attorney Galvin sat on the dais with the Council at this time.

Comments regarding the application for an annual Entertainment License received from StoneHouse Resorts, Inc. d/b/a Stone House:

- Councilor Mushen concerned there is a significant expansion of business proposed especially with the amount of lot coverage anticipated for use. Feels this makes the use more non-conforming. He also feels that the Stone House will be marketing to fill the space they show on their plan for area to be used for events.**
- Councilor Mataronas has heard from many individuals who feel it is an expansion of use.**
- Councilor Golembeske notes that the Zoning Official seems to have suggested that a use variance would be needed to allow for the expanded use of the type of tent proposed (with glass panels for sound reduction which require a slab or flooring to be constructed on**

the lot)

- Councilor Appleton wondered if the Stone House has thought of environmental concerns (sufficient toilette facilities, traffic flow, sound issues)
- Bill Moore, Zoning Official noted that the Stone House has a history of using a tent for functions, but not one that was erected for a 4 – 5 month period, not was it on a semi-permanent or permanent flooring. The use of a tent is not an issue, just the extended flooring and sound proofing panels which make the tent more of a structure. Existing parking meets the needs of the buildings, not the tent structure.

Kevin Vendituolli was asked to respond to concerns over various details. He stated that the Stone House does not want to cause a problem in the neighborhood. He believes the tent “size” is in keeping with what has been used in the past, albeit it has an added suggested sound barrier of glass panels to reduce the impact of sound into the neighborhood. Mr. Vendituolli stated that they intend to have rehearsal dinners (in the barn) on Fridays and the weddings under the tent on Saturdays. Their only week day booking planned at the moment is the Sakonnet Garden Club to host the Garden Clubs of America. He noted that the parking is limited to 94 spaces therefore that would limit the number of attendees at functions. He has Mr. Moran’s records and Mr. Moores to use as a basis for the past use. The Stone House is hosting a time this Saturday to allow the public to come and discuss their concerns and see the facility.

Motion made and seconded, followed by discussion:

To authorize Councilors Appleton and Mataronas to work with Mr. Kevin Vendituolli of StoneHouse Resorts, Inc. who will be doing business as the Stone House for premises located at 122 Sakonnet Point Road in order to review details in question with regards to their application submitted for an annual Entertainment License in an effort to have a clearer understanding of the proposed activities on March 24th when their business licenses will be considered for approval.

Mike Steers asked if individuals would be allowed to voice comments at the meeting on the 24th. He was informed it is a hearing and yes comments will be allowed. He feels the tent is a structure and must meet zoning requirements.

A member of the public stated that he thought his property value would decrease should this turn into an establishment that held large events daily. Barbara Passmore inquired about mid-week conferences. Mr. Vendituolli stated they were not marketing for those types of functions.

Miriam Clifford feels the same type of attention should be given to the Vineyard expansion of use as the Stone House is being subjected to. Councilor Mushen stated this process is about the Stone House and they are being pro-active here and noted that the same standards

would apply to other license holders.

George Purmont asked if there were any land owned by the Stone House ownership that had conservancy trust restrictions. He was informed by Mr. Vendituolli that there is a small lot on the side that is not intended to be used for business.

Mr. Guy Sunny questioned the decibel levels.

Daune Peckham asked how they planned to keep guests cool in the summer months under the tent with glass panels. Mr. Vendituolli stated there are mobile units for heat/cooling that are/will be used which are not noisy.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Councilors Appleton and Mataronas to work with Mr. Kevin Vendituolli of StoneHouse Resorts, Inc. who will be doing business as the Stone House for premises located at 122 Sakonnet Point Road in order to review details in question with regards to their application submitted for an annual Entertainment License in an effort to have a clearer understanding of the proposed activities on March 24th when their business licenses will be considered for approval.

Girard Galvin, Alternate Solicitor left the chambers at 8:17 PM.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Scott Morrison as a member of the Harbor Commission to represent the Sakonnet Point Marina Association and the Sakonnet Point Club for a term which will expire February 1, 2019.

Councilor Mushen announced that the Town MEDS (Medical Emergency Distribution System) volunteers, under the direction of the Town Clerk, participated in a regional exercise on February 27th. He mentioned that Little Compton supplied 12 of the volunteers and that the State Department of Health recognizes our efforts.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To select to have Little Compton's 2014-2015 Member Equity Distribution deposited into the Member Entity's Other Post Employment Benefit (OPEB) Trust in the amount of \$7,987.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To accept with regret a letter of resignation received from Sgt. Costantino Natale from service in the Little Compton Police Department, to concur with the recommendation of

the Chief of Police to payout 7 days of unused vacation days and to payout the balance of his unused sick leave under the Collective Bargaining Agreement between the Town of Little Compton and IBPO Local 644, subject to a phasing agreement to be reached by the employee and the Town Council President and to further grant based on the Chief of Police recommendation a one (1) month leave of absence.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To support a request to ask the General Assembly to hold three proposed legislative bills, Senate Bill S-2358, Senate Bill S-2263, House Bill H-7539 for further study.

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

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the American Legion Post 37 to hold its annual Memorial Day Parade and Program on Monday, May 30, 2016 between the hours of 10:00 am and

12:00 noon.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To continue until the April 21, 2016 Town Council meeting consideration of potential grant submissions for the 2016 RI Recreation Acquisition & Development Grants in order to allow the Recreation Committee and LC Agricultural Conservancy Trust to suggest viable projects for review.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file an invitation received from the Mayor of the City of Newport to participate in the 60th Annual St. Patrick's Day Parade on March 12, 2016.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a copy of a resolution adopted by the Foster Town Council supporting the formation of a coalition among Rhode Island's Regional School Districts.

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

received from Larry Anderson regarding his submittal for an article to be included on the Annual Financial Town Meeting warrant as the Councilors do not have any questions for Mr. Anderson.

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

1. Letter from the Deputy Director of RI Housing informing the town that RI Housing intends to file an application with the Dept. of Agriculture, Rural Housing Service under the Section 533 Housing Preservation Grants for FY2016. Further notification will be supplied if funding is awarded.
2. Communication from Councilor Golembeske noting his authorization for the Senior Van to take a trip out of town on Thursday, March 10.

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: \$63,900.60

Direct Energy - Street Lights Town Dock \$11.24

Direct Energy - Street lights \$10.65

Direct Energy - Town Hall \$240.47

Direct Energy - Street Lights \$10.83
Direct Energy - Town Dock \$20.29
Direct Energy - Transfer Station \$174.04
Direct Energy - Public Safety Complex \$603.91
Direct Energy - 32 Commons \$10.16
USPS - Bulk Rate Permit town hall \$225.00
Paychex - Treasurer \$451.00
Paychex - Treasurer \$833.33
Cox Communications - 32 Commons \$34.24
Petro - Diesel \$311.19
Petro - Gasoline \$1,368.48
Petro - Gasoline \$1,120.92
Postmaster - Treasurer \$196.00
Madden Electric - Adamsville Lights \$75.00
Madden Electric - Public Safety Complex \$283.43
Madden Electric - Maintenance \$125.00
American Arbitration Assoc. - Fire Dept. \$275.00
LC School Dept. - Recreation gym use \$400.37
Paychex - Treasurer \$329.05
Stay At Home - Senior Transportation appropriation \$1,975.00
Stay At Home - Senior Transportation appropriation \$1,975.00
Xerox Business Services LLC - Town Clerk \$1,299.00
WBMason - Town Hall - Clerk \$80.05
Marion Welding Inc - Transfer Station \$135.00
Pioneer Heavy Duty Parts - Highway \$87.23
Pioneer Heavy Duty Parts - Highway \$389.44

Medeiros & Sons Construction Inc - Highway \$1,138.09

Tiverton Materials - Highway \$202.76

Valcourt Heating - Town Hall \$238.35

Valcourt Heating - 32 Commons \$599.50

Valcourt Heating - Town Hall \$302.00

Valcourt Heating - 32 Commons \$430.25

Goulart Petroleum - Town Hall - 30 & 32 Commons \$1,054.05

Goulart Petroleum - Town Hall - 30 & 32 Commons \$986.01

Goulart Petroleum - Town Hall - Public Safety \$524.00

Carol A Wordell - Canvassers \$117.61

Vision government Solutions - Revaluation \$5,418.49

Edith Marion - Building - Planning - Zoning \$245.00

WBMason - Clerk - MEDS funds \$74.91

WBMason - Treasurer \$147.34

Nationalgrid - street lights town dock \$47.59

Nationalgrid - street lights \$27.85

Cox Comm. - Computer \$105.34

United Site Services - Transfer Station \$115.00

Verizon - Wastewater Treatment Facility \$53.82

Kevin's Auto Parts Inc - Transfer Station/Maintenance \$30.84

Alarm New England - Town Hall \$317.97

WBMason - Police Dept. \$48.63

Graphix Plus - Police Dept. \$83.46

WBMason - Police Dept. \$15.09

Thomas Wood - Police Dept. \$380.00

TMDE Calibration Labs Inc. - Police Dept. \$193.23

David A. Nickerson - Police Dept. \$40.00

Sirchie Fingerprint Lab. - Police Dept. \$71.09

Rob's Auto Care - Police Dept. \$420.77

First Ford Inc. - Police Dept. \$52.98

Belmont Springs - Police Dept. \$31.76

Sakonnet Veterinary Hospital - Police Dept. \$450.00 \$1,787.01

Verizon - Police Dept. \$404.56

RI Dept. of Attorney General - Drug Forfeiture \$60.00 \$464.56

JP Cooke Co - Town Clerk \$76.69

Wilbur's General Store - Town Hall \$6.46

Nationalgrid - Transfer Station \$162.20

Nationalgrid - Public Safety Complex \$546.81

Robert Booth - Assessors \$1,326.92

Leonard Duckworth - Assessors \$1,326.92

Robert H. Goff Jr. - Assessors \$1,326.91

Cox Communications - Town Hall Depts. \$268.30

Wilbur's General Store - Ambulance Reim. \$17.99

Bound Tree Medical, LLC - Ambulance Reim. \$433.13

TargetSolutions Learning - Ambulance Reim. \$996.00

BoundTree Medical - Ambulance Reim. \$63.48

Firematic Supply Co. Inc. - Ambulance Reim. \$410.00

CyberComm Inc. - Ambulance Reim. \$683.93

Concentra - Ambulance Reim. \$182.50

RIAFC Foundation - Ambulance Reim. \$75.00

BoundTree Medical - Ambulance Reim. \$53.00

BoundTree Medical - Ambulance Reim. \$404.50

Rob's Auto Care - Ambulance Reim. \$35.00

Rob's Auto Care - Ambulance Reim. \$167.45

CyberComm Inc. - Ambulance Reim. \$200.00

CyberComm Inc. - Ambulance Reim. \$200.00

Southcoast Hospitals Group - Amb Reimb \$2.10 \$3,924.08

Belmont Springs - Fire Dept. \$10.31 \$10.31

Richard S Humphrey - Solicitor \$4,083.34

Verizon - Maintenance \$63.08

Verizon - Building Official \$59.04

Verizon - Transfer Station \$30.09

Helger Bros - Highway Plowing \$2,787.50

Marion Welding Inc - Transfer Station \$135.00

Wilbur's General Store - Town Hall, 30 Commons \$46.06

Goulart Petroleum Inc - Public Safety Complex \$420.18

Valcourt Heating - Town Hall \$90.00

Uline - Town Hall - Public Safety \$228.67

PJ Keating - Highway \$466.20

Saltine Warrior Inc - Highway \$2,245.29

Dave Venancio - Inspectors \$480.00

Humphrey's - Maintenance - Capital Plan \$981.01

Personnel Concepts - Town Hall \$15.90

Sakonnet Plumbing & Heating - 32 Commons/IOOF \$458.50

Rob's Auto Care Inc - Maintenance \$159.45

Paychex - Treasurer \$312.37

Republic Services - Transfer Station \$4,345.00

Susan Sisson - Director of Social Services \$450.00

Allied - Board of Canvassers \$91.90

William L. Moore - Inspections \$870.00

Valcourt Heating - Maintenance Dept \$197.50

Salva & Sons Safe & Security - Maintenance Dept \$159.26

Sakonnet Tree Inc - Tree Warden \$8,271.00

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