

**PUBLIC HEARING NORTH SMITHFIELD TOWN COUNCIL**

**OCTOBER 2, 2006**

**KENDALL-DEAN SCHOOL**

**7:00 P.M.**

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Mrs. Flaherty, Mrs. Thibault, Mr. Yazbak and Mr. Lovett. Mr. Zwolenski arrived at 7:05 P.M. Town Administrator Lowe and Town Solicitor Hadden were also present.

**GENERAL AMENDMENTS TO THE ZONING ORDINANCE**

This was a continuation of the public hearing to consider the following amendments to the zoning ordinance: A.) Conservation Development Design and B.) Development Plan Review.

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Mr. Donald Gagnon, Chairman of the Conservation Commission, once again spoke in favor of Conservation Development, provided further written recommendations to the proposed ordinance, and urged the Council to enact it as soon as possible.

Consultant Tony Lachowicz encouraged the Council to adopt the ordinance as written. Let the Planning Board take a look at it, get a couple of applications in, and then revisit it in a year or two. Mr. Lachowicz also recommended the town encourage density bonuses for multi-unit and affordable housing.

**Ms. Caroly Shumway, Chairperson of the Valley Alliance for Smart Growth, raised questions regarding the omission of archeological, historical and natural resource impact studies, the increase in the amount of slope, the reinstatement of language in Section 17.11 regarding “minimization of impacts on natural resources”, reinstatement of language on Page 12 regarding traffic and amending language stating that impact studies “shall be” required instead of “may be required”.**

**Mr. Rapko felt there should be language regarding ten percent open space requirements for nonresidential development.**

**Section 17.5 – Environmental Impact – Leave in #8 and #9.**

**Section 17.11 – Conditions of Development Plan Review Approval – Leave in #15.**

**Section 5.5.3.1 – Land Unsuitable for Development – Correct Letter “f” to read “Areas with slopes in excess of 20 percent or one foot vertical for every four feet of horizontal run”.**

**MOTION by Mrs. Thibault, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to continue this public hearing to October 16, 2006 at 7:00 P.M. at Kendall-Dean School at which time there will be the first reading of the ordinance.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**

**SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**OCTOBER 2, 2006**

**KENDALL-DEAN SCHOOL**

**IMMEDIATELY FOLLOWING**

**PUBLIC HEARING**

**The meeting was called to order at 8:10 P.M.. The prayer and the pledge to the flag were waived. Council members present were Mrs. Flaherty, Mrs. Thibault, Mr. Yazbak, Mr. Zwolenski and Mr. Lovett. Town Administrator Lowe and Town Solicitor Hadden were also present.**

**“NO PARKING” ORDINANCE FOR SUMMIT AVENUE**

**MOTION by Mr. Yazbak, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to move this discussion up on the agenda.**

**On behalf of the North Smithfield Police Department, Sgt. Ted Garlacy submitted a letter requesting installation of “No Parking” signs on the stretch of the easterly side of Summit Avenue that connects with White Parkway.**

**Patrol Officer Jared Solinaro stated there is a truck that constantly**

**parks in that area and this creates safety concerns.**

**Mrs. Claire O'Hara noted there used to be no parking signs on that short stretch of road but they are now gone. She said because of the narrowness of the street, buses cannot get by. Mrs. O'Hara is looking for resident parking signs for Summit Avenue and White Parkway because of the football games held at Barry Field.**

**Mr. Lowe stated that, once he learned of the situation, he ordered a sign that states "No Parking Corner to Corner" and he is waiting for it to arrive.**

**MOTION by Mr. Yazbak, seconded by Mrs. Thibault, and voted unanimously on an aye vote to refer this to the Town Solicitor, the North**

**October 2, 2006**

**Smithfield Police Department and the Public Safety Director for crafting of an ordinance for the next available meeting.**

#### **NORTH SMITHFIELD ELEMENTARY SCHOOL WATER ISSUES**

**Mr. Lowe, as Public Safety Director, declared that there was a state of emergency with the water tanks at NSES. School Facilities Director Robert Desrochers has told him that he has three bids and it will take approximately six weeks to replace the tanks.**

**Mr. Desrochers stated that the tank changes have been reviewed by the Department of Health and, although he does not have three bids in hand this evening, he should have them by Wednesday.**

**MOTION by Mr. Yazbak and seconded by Mr. Zwolenski to table this to October 16th until all bids are received.**

**Mr. Hadden cited Section 45-55-8, the State Municipal Procurement Statute, which states that a procurement may be made but it should be done with as much competition as practical. The local purchasing statute does provide for an emergency procurement.**

**Mr. Yazbak withdrew his motion and Mr. Zwolenski withdrew his second.**

**MOTION by Mr. Yazbak and seconded by Mrs. Flaherty to table this matter until all three bids are received in writing and after consulting with the Town Administrator/Public Safety Director, the Council President may call a special meeting.**

**After further discussion with Mr. Hadden, Mr. Yazbak withdrew his motion and Mrs. Flaherty withdrew her second.**

**MOTION by Mrs. Flaherty to have the Town Clerk post an agenda for a meeting on Thursday, October 4th at 8:00 A.M. at the Town Administrator's office to review bids for the water tanks and to**

**include information from the Finance Director on the balance of funds available for the tanks.**

**Mr. Lovett questioned Mr. Hadden on the wording of the agenda.**

**MOTION by Mrs. Flaherty, seconded by Mrs. Thibault, and voted unanimously on an aye vote to include the following language with the original motion: Consideration and award of bid for new water tanks at NSES including allocation of funds.**

#### **SALE OF TOWN EQUIPMENT**

**Public Works Director Raymond Pendergast requested permission to conduct an auction of various surplus town equipment.**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to allow the Town Administrator and the Public Works Director to proceed with the sale of town equipment as listed.**

#### **LIZ DEVELOPMENT SEWER ASSESSMENT – K. MAURICE**

**Attorney Richard Bianculli, representing Keith and Jamie Maurice of 6 Briden Street, explained that on April 14, 2004 a sewer assessment was issued on this property. The builder paid \$1,300.00. His clients obtained a municipal lien certificate that listed no sewer assessment due and Mr. Bianculli believes, therefore, that his clients are not responsible for this charge.**

**Mr. Hadden recommended that this be discussed in executive session.**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to discuss the sewer assessment charge to Kevin and Jamie Maurice in executive session under RIGL 42-46-5(A)(2) – Sessions pertaining to litigation.**

## **2ND READING ORDINANCE AMENDMENT RE: ANIMAL CONTROL**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on a roll call vote to accept the ordinance as posted on September 12, 2006. (See attached)**

**October 2, 2006**

## **WATER ISSUES**

### **Water Advisory Sub-Committee**

**Mrs. Thibault informed the Council that the Water Advisory Sub-Committee met on September 18th and recommended using the latest grant to connect the Waterford area to Woonsocket. Mr. Lowe recommended the funds be used instead to defray the cost of the Woonsocket interconnect.**

**Mr. Lowe explained that he was originally told that \$191,000 of the grant had to be used for a new project. He later received word that,**

**because the project was completed in this current year, the funds could be used to pay for the interconnect.**

**Finance Director Jill Gemma had spoken with a state official and was assured that the funds could be received in December. It was her recommendation to pay the debt that is known now rather than wait to pay for an unknown.**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote that, based upon the recommendations of the Finance Director and the Town Administrator, \$191,000 of the grant money be transferred to defray the cost of the Woonsocket water connection.**

**Mr. Yazbak wanted to affirm that the Waterford section would be the next area to be completed in the expansion of the Woonsocket water connection and Mr. Lowe agreed.**

#### **1ST READING ORDINANCE AMENDMENT RE: SALARIES & WAGES**

**Mrs. Gemma presented the ordinance to the Council noting that the only changes were to the Police Department.**

**This constituted the first reading. The second reading will be on October 16th.**

#### **EXECUTIVE SESSION**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to enter into executive session at 9:10 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss the Industrial Park Water Company property and the sewer assessment for the Maurices.**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to come out of executive session at 9:30 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mrs. Thibault, seconded by Mrs. Flaherty, and voted unanimously on an aye vote to adjourn at 9:31 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**