

**SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**AUGUST 6, 2007 KENDALL-DEAN SCHOOL**

**7:00 P.M.**

The meeting was called to order at 7:00 P.M. and began with the prayer and the pledge to the flag. Council members present were Mr. Keeley, Mr. Leclerc, Mr. Lovett, Mr. Zwolenski and Mrs. Thibault. Town Administrator Lowe and Town Solicitor Hadden were also in attendance.

**OUTDOOR SOUND SYSTEM – NORTH SMITHFIELD COMMONS/T. MARSELLA**

**MOTION** by Mr. Zwolenski, seconded by Mr. Keeley and Mr. Leclerc and voted unanimously on an aye vote to move this item the Outdoor Sound System for Mr. Marsella requesting a permit to have a grand opening for North Smithfield Commons up on the agenda. Mr. Marsella explained that there will be five bands playing each day competing for a three song demo club sponsored by White Night Records and WBRU is hosting it and would like to hold it in the rear of their property. The times and dates are from Saturday, August 11th 10:00 A.M. – 8:00 P.M. and Sunday August 12th from 10:00 A.M. – 6:00 P.M. and the bands will only be playing for five hours each day. They would be starting around 1:00 or 2:00 P.M.

Mr. Leclerc feels it is a great idea. He asked if there was going to be any type of security?

**Mr. Marsella responded that they will have their staff on hand approximately 30-40 additional people for security purposes that will be there in red shirts that will say North Smithfield Commons and Fun Center and will be policing the areas themselves.**

**Mr. Zwolenski stated that speaking with Mr. Marsella that he assured him that it would be for the grand opening request to have the bands in an amplified system that in the future should he have it again, it will be contained within the building.**

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**Mr. Marsella's response was that yes he has held bands inside his facility in the hallways and nothing can be heard outside because of the cement building. And if it rained that the permit would be for indoors.**

**Mr. Lovett asked Mr. Marsella if there was plenty of parking available and that there shouldn't be anyone parking on Eddie Dowling highway?**

**Mr. Marsella stated that there would be plenty of parking in the rear of the building and that there shouldn't be anyone parking on Eddie Dowling highway.**

**Mr. Zwolenski asked Mr. Marsella if there were activities facing the**

front of the building, and if so, he would suggest to delineate with orange cones or barrels for traffic to block area from 146A.

Mr. Marsella stated that there would be a tent set up that will partition off where the parking lot is to where the access road that goes to the power lines.

**MOTION** by Mr. Zwolenski, seconded by Mr. Leclerc to approve an outdoor sound system license for Mr. Thomas Marsella for North Smithfield Commons.

The **MOTION** was amended by Mr. Zwolenski, seconded amended by Mr. Leclerc, and voted unanimously on an aye vote to approve an outdoor sound system license on August 11th at 3:00 P.M. until 8:00 P.M. and on August 12th from 1:00 P.M. until 6:00 P.M.

Mr. Hadden arrived.

## **EXECUTIVE SESSION**

**MOTION** by Mr. Lovett, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to enter into executive session at 7:06 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss 1. Prochniak vs. Town of North Smithfield, 2. Northern RI Private Industry Council vs. Town of North Smithfield and 3. Decelles vs. Town of North Smithfield with Mr. Prescott.

**Mr. Hadden stated that he recused himself from the DeCelles vs. Town of North Smithfield discussion.**

**MOTION by Mr. Lovett, seconded by Mr. Keeley, and voted unanimously on an aye vote to come out of executive session at 7:35 P.M. and note that only item #3. Decelles vs. Town of North Smithfield with Mr. Prescott was discussed and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mr. Lovett, seconded by Mr. Leclerc and voted unanimously on an aye vote to move executive session RIGL 42-46-5 (A)(2) Sessions pertaining to collective bargaining or litigation 1. Prochniak vs Town of North Smithfield and 2. Northern RI Private Industry Council vs Town of North Smithfield to the end of the agenda.**

## **GREAT PUMPKIN FESTIVAL**

**Ms. Katie Hall and Donna Kaehler explained what the pumpkin festival was about and she feels that it gives the opportunity for the town to come together and build the community from the inside out. There are over 28 non-profit organizations that have confirmed to date who will be participating and showcasing themselves at this event. Festival buttons will be available in 22 locations within the town. A town brass ornament will also be available celebrating the 200 anniversary of the mill. Proceeds collected will be put back into the**

community in enriching certain town programs and looking for support.

**MOTION** by Mr. Lovett, seconded by Mr. Keeley, and voted unanimously on an aye vote to move item VI B. Outdoor Sound System, victualing license, entertainment license for Great Pumpkin Festival, the Town of North Smithfield and #1 to Request to waive fees.

Mr. Zwolenski asked that the insurance and coverage is picked up by the town.

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Mr. Lowe's response was that he has the insurance certificate for \$5,000,000,000 and it is a blanket coverage for any type of festival that the town has this year. He commented that it is over and above of what they already have.

**MOTION** by Mr. Zwolenski, seconded unanimously and voted unanimously on an aye vote 5-0 to approve the outdoor sound system, victualing license, entertainment license for the Great Pumpkin Festival for the Town of North Smithfield and to waive fees associated with the Great Pumpkin Festival.

**RESOLUTION FOR REFERENDUM QUESTION RE: CHARTER**

## **REVISION**

**Mr. Hadden stated that it will be ready at the August 20 meeting.**

**Mrs. Thibault asked Mr. Hadden for clarification on the referendum.**

**Mr. Hadden explained that the primary thing is to increase the minimum amount of money for which competitive bids must be requested. Under the town's present charter, it is \$1,000 although the ordinance indicates that it is \$3,000. The State law states that depending on the issue permits much more than that.**

## **AWARD OF BID – TRACTOR AND BOOM MOWER**

**Mrs. Gemma read the proposal which read as follows: "On July 11, 2007 a proposal was received from Tri-County Contractors Supply, Inc., for (1) New Tiger TRB-50C-30S Bengal Brute Boom Mower mounted on a new John Deere 6415-4 WD tractor and (1) new 1184 Hardee Rotary Mower for a total price of \$97,225.00." She stated that the capital budget for this item was for \$105,000. "This proposal is in compliance with the State of Massachusetts contract #FAC-44 for Lawn and Grounds Equipments. The State of Rhode Island has validated and accepted this contract allowing orders from either Rhode Island State of Municipal entities to be placed with the vendors awarded this contract. Based upon the recommendation of Raymond Pendergast, Director of Public Works, I recommend the Boom Flail Mower and Tractor be purchased from Tri County Contractors Supply for a total cost of \$97,225.00."**

**MOTION by Mr. Leclerc, seconded by Mr. Keeley to approve and direction and advice of the Finance Director Jill Gemma (1) new Tiger TRB-50C-30 S “Bengal Brute” Boom Mower mounted on a new John Deere 6415-4 WD tractor and (1) new 1184 Hardee Rotary Mower for a total price of \$97,225.00.**

**Roll call: Mr. Keeley – Yes; Mr. Leclerc – Yes; Mr. Lovett – Yes; Mr. Zwolenski – Yes; and Mrs. Thibault – Yes. The motion passed unanimously 5-0.**

#### **AWARD OF BID – PLAYGROUND EQUIPMENT**

**Mrs. Gemma read the proposal as follows: “A proposal was received by US Communities from Landscape Structures, Inc., also known as O’Brien and Sons, Inc. for Playground Equipment, and 180 cubic yards engineered wood-fiber surfacing and 4500 square feet fabric surfacing. The Town of North Smithfield is a member of US communities, a Government Purchasing Program and she states that it is the best pricing and based on the recommendation from Mr. Pendergast, Mrs. Gemma recommends that the Town purchase this equipment through Landscape Structures, Inc. off the US communities Master Agreement for the total cost of \$44,412.50.”**

**Mr. Leclerc asked what was the capital budget for the playground?**

**Mrs. Gemma stated that it was \$10k and the rest was coming from**

**fundraising events, grants and \$25k from a DEM grant and there are different funding sources.**

**Mrs. Gemma also stated that there was a Nickelodeon grant.**

**Mr. Pendergast stated that there was a student at NSES that obtained the \$5k Nickelodeon grant.**

**Mr. Zwolenski asked Mr. Pendergast if that student had been recognized?**

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**Mr. Pendergast's reply is that he believes that student was recognized by the school.**

**Mr. Leclerc suggests to possibly send that student a citation for their efforts.**

**MOTION by Mr. Leclerc, seconded by Mr. Keeley per the recommendation of the Finance Director Mrs. Gemma to approve (1) Playground Equipment, design MEO7951 Play Booster, Playstructure and 6-place single post swing with 5 belt seats and 1 bucket seat with seat strap.**

**(2) 180 Cubic yards engineered wood-fiber surfacing and 4500 square feet fabric surfacing for a total amount of \$44,412.50 to O'Brien and**

**Sons, Inc. and through Landscape Structures, Inc.**

**Roll call: Mr. Keeley – Yes; Mr. Leclerc – Yes; Mr. Lovett – Yes; Mr. Zwolenski – Yes; and Mrs. Thibault – Yes. The motion passed unanimously 5-0.**

**2nd READING ORDINANCE AMENDMENT RE: SALARIES & WAGES  
MOTION by Mr. Lovett, seconded by Mr. Leclerc to approve the 2nd Reading Ordinance Amendment Re: Salaries & Wages and voted unanimously on a roll call vote to approve the second reading of the following ordinance amendment:**

**“Ordinance of the Town of North Smithfield Chapter – Salaries and Wages”**

**It is ordained by the Town Council of North Smithfield, RI as follows:  
Chapter 13 of the Town Ordinance is amended to read:**

**The following Table of Salaries and Wages to Pay Grades, are approved for the fiscal year July 1, 2007 to June 30, 2008. This list includes elected, appointed, classified (non-contractual), classified (contractual) and non-classified.**

**DEPARTMENT FY 06/07 FY 07/08**

**1. General Government**

<b>Town Administrator</b>	<b>7/1/06 -11/30/06</b>	<b>27,083</b>
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Town Administrator	12/1/06 - 6/30/07	40,192
Town Administrator	7/1/07-6/30/08	68,900
Grant Writer	14,353      14,784	
Town Council (each)	7/07-11/07      1,275	1,275
Town Council (each)	12/07-6/08      1,275	1,275
Probate Judge	3,689      3,800	
Board of Canvassers, Chairman	500	500
Board of Canvassers (each)	400	400
Town Clerk	48,031      49,472	
Deputy Town Clerk	27,821      28,656	
Finance Director	68,959      71,028	
Asst. Finance Director	37,913      39,050	
Personnel/Administrative Service Director		
Solicitor	55,414      57,076	
Assistant Solicitor	20,600      21,218	
Town Planner	52,490      54,065	
Tax Assessor	41,262      42,500	
Admin Ass't To Administrator	28,968	29,837

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Asst Tax Collector 18.61/hr 19.17/hr

Commission Secretary 16.45/hr 16.94/hr

Senior Clerk 17.55/hr 18.08/hr

Finance Clerk I 15.63/hr 16.10/hr

Finance Clerk II 14.05/hr 14.47/hr

Recording Clerk 14.05/hr 14.47/hr  
 Inspection Division Clerk 13.68/hr 14.09/hr  
 Secretary (Tax Assessor's) 13.68/hr 14.09/hr  
 Part Time Finance Secretary 11.34/hr 11.68/hr  
 Planning Secretary 13.68/hr 14.09/hr

**2. Public Safety**

<b>A. Building Inspector/Zoning Official</b>	<b>44,029</b>	<b>45,350</b>	
<b>Electrical Inspector (Pt)</b>	<b>7,414</b>	<b>7,636</b>	
<b>Plumbing Inspector (Pt)</b>	<b>3,243</b>	<b>3,340</b>	
<b>Mechanical Inspector (Pt)</b>	<b>3,243</b>	<b>3,340</b>	
<b>Building /Zoning inspector (Pt)</b>	<b>14,385</b>	<b>11,111</b>	
<b>Assistant Electrical Inspector</b>	<b>3,296</b>	<b>3,395</b>	
<b>Sealer of Weights and Measures</b>			<b>1</b>

1

<b>Police Chief</b>	<b>65,000</b>	<b>66,950</b>
<b>Administrative Asst to Police Chief</b>	<b>24,888</b>	<b>25,635</b>

**3. Police Department**

**Captain 996.24/wk 1026.13/wk**  
**Lieutenant 972.13/wk 1001.29/wk**  
**Sergeant 948.01/wk 976.45/wk**  
**Detective 923.92/wk 951.64/wk**  
**Patrolman (over 1 year) 887.73/wk 914.36/wk**  
**Probationary (6mos/1yr) 761.95/796.86/wk 784.81/820.77/wk**

#### 4. North Smithfield Local 937 Contract

Asst Highway Superintendent 19.23/hr -  
Asst Labor Foreman 17.33/hr 17.85/hr  
Foreman (new position 7/1/2007) - 19.85/hr  
Animal Control Officer 17.67/hr 18.20/hr  
Police Dispatcher (1st shift) 15.41/hr 15.87/hr  
Police Dispatcher (2nd shift)\*\* 15.41/hr 15.87/hr  
Police Dispatcher (3rd shift)\*\* 15.41/hr 15.87/hr  
Police Clerk/Dispatcher (part time) 14.71/hr 15.15/hr  
Mechanic 17.73/hr 18.26/hr  
Mechanic/Driver 16.73/hr 17.23/hr  
Equipment Operator 16.32/hr 16.81/hr  
Truck Driver 15.60/hr 16.07/hr  
Laborer 14.00/hr 14.42/hr  
Highway Dispatcher 14.00/hr 14.42/hr  
Clerk (Highway) 13.68/hr 14.09/hr

#### 5. Public Works

Director of Public Works PT	15,894	16,371
Highway Superintendent	47,733	
Water & Sewer Superintendent	48,440	49,893

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**Water & Sewer Assistant      33,998    35,018\* (subject to  
increase based  
upon attainment  
of certification.)**

**Park & Recreation Director      39,106      40,279**

**Tree Warden      1,679      1,729**

**P & R Maint. PT 10.00/hr 10.00/hr**

**Playground Supt Pt 10.00/hr 10.00/hr supervisor  
8.00/hr 8.00/hr counselors**

**Longevity Non-Contractual Personnel**

**Completion of five (5) years 3.00% 3.00%**

**Completion of ten (10) years 5.00% 5.00%**

**Completion of fifteen (15) years 5.50% 5.50%**

**Completion of twenty (20) years & over 6.00% 6.00%**

**\*\*See Article 5.16. Effective 7/1/2006, second shift dispatchers shall  
receive  
.35 cent differential, and third shift dispatchers shall receive a .50  
cent shift  
differential.\*\***

**The designation of a yearly salary is a designation of rate of pay only,  
and shall  
not be construed to create an employment relationship other than at  
will.**

**Benefits, for non-contractual personnel, including but not limited to vacation, personal leave and sicktime, shall be governed by Chapter 13 of the Code of Ordinances and any other charger provisions, resolution of May 1, 2006 (relating to retirees) or ordinances relating thereto.**

**All non-contractual personnel who have elected health insurance coverage benefits shall contribute the greater of \$40 per pay period toward the premium (\$1,040 per year) for family plans and \$16 per pay period (\$416 per year) for individual plans or the Local 937 current contract amount.**

### **Amendments to Chapter 13 Salaries and Wages - Fiscal Year 2007/08**

**This ordinance shall become effective upon passage and all Ordinances or part of Ordinances inconsistent herewith are repealed.”**

### **1st READING ORDINANCE AMENDMENT RE: LICENSE FEES**

**MOTION by Mr. Lovett, seconded by Mr. Leclerc and voted unanimously on a aye vote to approve the first reading Ordinance Amendment Re: License Fees State of Rhode Island and Providence Plantations Town of North Smithfield, 2007 Ordinance of the Town Council Relating To License Fee Increases Under Sec 11-30. “It is**

ordained by the Town Council of the Town of North Smithfield: Section 11-30 of the Code of Ordinances, entitled "Fee schedule", of Title 11, "Occupational Licenses", shall be amended to read as follows. No other provision of the ordinance or the affected sub-sections shall be changed except as herein specified."

**Class Term Date Due or Issued \$Fee**

**(7) Entertainment:**

**(a) Dancing: Each On application \$10.00/per day  
December 1 \$150.00/per yr.**

**(14) Liquor:**

- (a) Class A 1 year December 1 \$1,000.00**
- (b) Class BT 1 year December 1 \$ 750.00**
- (c) Class BV 1 year December 1 \$ 750.00**
- (d) Class BL 1 year December 1 \$ 400.00**
- (e) Class C 1 year December 1 \$ 600.00**
- (f) Class D 1 year December 1 \$ 400.00**
- (g) Class DL 1 year December 1 \$ 200.00**
- (h) Class E 1 year December 1 \$ 100.00**
- (i) Class F 1 day On application \$ 15.00**
- (j) Class F-1 1 day On application \$ 35.00**

**(30) Holiday Sales 1 year December 1 \$ 50.00**

**(32) Victualing House 1 year December 1 \$ 50.00**

**(Unlimited)**

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**(35) Garage sales, yard 1 day On application \$ 5.00**

**Sales, or flea**

**Markets so-called**

**(Limit 2 per year)**

**(36) Flea Market**

**(Commercial)**

**(d)Yearly 1 year December 1 \$ 50.00**

**(39) Drain layer**

**(with required bonds**

**And/or surety) 1 year On application \$ 50.00**

**The ordinance was posted on July 31, 2007 and the first reading was read on August 6, 2007.**

## **EXECUTIVE SESSION**

**MOTION by Mr. Leclerc, seconded by Mr. Lovett, and voted unanimously on an aye vote to enter executive session at 8:18 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective**

**bargaining or litigation to discuss 1. Prochniak vs Town of North Smithfield and 2. Northern RI Private Industry Council vs Town of North Smithfield.**

**MOTION by Mr. Leclerc, seconded by Mr. Keeley, and voted unanimously on an aye vote to come out of executive session at 8:48 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**North Smithfield Fire & Rescue Service Inc. Operational Budget**

**MOTION by Mr. Lovett, seconded by Mr. Keeley, and voted unanimously on an aye vote to increase North Smithfield Fire and Rescue Service, Inc. operational budget by \$350.00 and the money to be used at their discretion.**

**MOTION amended by Mr. Lovett, seconded amended by Mr. Keeley, and voted unanimously on an aye vote to increase North Smithfield Fire and Rescue Service, Inc. operational budget by \$350.00 and the money to be used at their own discretion and ask the Finance Director to identify a line item to take the money from to provide the money to the Fire Department and return back to the Council with the appropriate transfer from that particular line item at a later date.**

**MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote to adjourn at 8:52 P.M.**

**Respectfully submitted,**

**Patricia A. Paul, Deputy Town Clerk**