

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

FEBRUARY 4, 2008

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. Zwolenski and Mrs. Thibault. Mr. Lovett was unable to attend due to illness. Town Solicitor Hadden was in attendance. Town Administrator Lowe was on vacation.

TRANSFER OF CAPITAL FUNDS FROM ANIMAL CONTROL TO INSPECTIONS

Public Works Director Raymond Pendergast submitted a letter requesting a transfer of \$12,000.00 in the 2007/2008 capital budget from Animal Control to the Inspections Department. This amount was originally intended to purchase an Animal Control vehicle but all quotes to date have exceeded the \$12,000.00 by two to three thousand. Since Building Inspector Robert Benoit is in need of a new vehicle as soon as possible and has actually located a used vehicle that is within the budget, it was suggested by the Administrator that the funds be transferred to allow the Inspections Division to purchase a vehicle. Animal Control would request additional funds in the next capital budget.

Mr. Benoit noted that he has been requesting funds for a new vehicle for the last six years. Although his vehicle has 76,000 miles on it, the

rest of the body is rotting away.

Mr. Pendergast, when asked, stated there are a couple of police vehicles in the highway lot that perhaps could be refurbished for a short time.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to table this to the February 19th meeting to allow Mr. Pendergast time to gather information regarding the temporary vehicles.

TRASH PICKUP/RECYCLING

Recycling Co-ordinator Donna Kaehler briefed the Council members on the town's trash and recycling pickup for the first six months of the year noting that the town is already over its cap and generating more trash than is allowed. She suggested limiting the amount of trash per residence or implementing a no bin/no bag program. This means that Coastal Resource would not pick up any trash from a residence if no recycling bins are out.

Mrs. Thibault asked Ms. Kaehler to return at a later Council meeting with a written proposal.

RESOLUTION RE: MORATORIUM ON OUTDOOR WOOD BURNERS

At the Council's request, Town Solicitor Hadden did research on this controversy in New England and in the northeast in general. He

searched for someone with appropriate qualifications and experience to review this matter and assist the community. Present this evening was Professor Curt M. Freedman who was introduced by Mr. Hadden.

February 4, 2008

Mr. Freedman stated he is a licensed professional engineer in Rhode Island and eight other northeastern states. He is also an adjunct professor and has given similar presentations before numerous other public bodies.

Mr. Freedman provided a power point presentation on the health effects from outdoor wood boilers. It included alternative forms of energy, emission comparisons, a schematic of how an outdoor wood boiler works, how deforestation worsens global warming, a list of hazardous chemicals emitted by smoke, various system efficiencies, fuel efficiency comparisons and heating cost comparisons.

Mr. Freedman made the following recommendations: 1.) A moratorium on all future outdoor wood boilers; 2.) Requirement that homes first upgrade windows and insulation to reduce heating load; 3.) Establish a 400' minimum property line set-back distance for outdoor wood boilers/furnaces; 4.) Use of outdoor furnaces be limited from November 1st to March 15th; 5.) Restrictions during air inversion and stagnation conditions (most evening hours); homes

must have conventional backup fuel; 6.) Wood must be seasoned split hardwood and fully covered or wood pellets. There shall be no use of trash, green wood or soft woods; 7.) Boiler stack must be two feet higher than the top of any structure or land formation within 500 feet and no stack shall be greater than thirty feet above ground; and 8.) Provide continued opportunity for further abutter nuisance complaints.

Mr. Keith Klockars, owner of an outdoor wood burning furnace, asked Mr. Freedman his qualifications in regards specifically to the furnace. He was familiar with Mr. Freedman and knew him to be a big advocate against all wood burning stoves.

Mr. Freedman responded that he studied and designed heating systems for twenty years and outdoor wood burning furnaces in particular for fifteen years. He teaches energy management to college students, is a registered mechanical engineer and has studied combustion of burn systems. Mr. Freedman feels he provides a balanced point of view and recommends that existing outdoor wood burning furnaces be regulated.

Mrs. Erica Warrington, an abutter to an outdoor furnace, commented that her neighbor burns twelve months of the year. She had to close her windows in the summer to protect her asthmatic grandson who lives with her. She hoped that the Council would at least regulate the months of operation.

Ms. Molly Clark, Manager of Health Promotion for the American Lung Association of Rhode Island, was concerned about the outdoor furnaces because they have been found to create air quality impacts far greater than what is currently allowed from indoor wood burning devices. She was in favor of a moratorium and an ordinance.

Although Mr. Zwolenski was aware that the Council was meeting to consider a moratorium on new outdoor furnaces, he was concerned that residents had installed them with no building codes in place.

Being a nurse, Mrs. Thibault was concerned about the furnaces for health reasons.

Mr. Leclerc stated he was a strong supporter of using alternative energy sources. He is concerned with air quality issues, quality of life and improper installation of outdoor furnaces.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to support the following resolution: “Whereas, The Town Council finds that the installation and operation of outdoor furnaces, also known as outdoor wood burners, or “OWBs”, creates a potential and actual threat to the health, safety, welfare and comfort of the community, in the form of a threat to the air quality and the peace and enjoyment of the community; Whereas, The Town Council wishes to continue the process of examining and

evaluating that risk as it applies to North Smithfield and its particular and unique topography and to provide for the protection of persons and property in accordance with Charter Art. IV, Sec. 8; Whereas, The Town Council wishes to establish an ordinance or

February 4, 2008

ordinances for the detailed regulation and control of OWBs, but to prevent the installation of any new units in the interim; Therefore, it is RESOLVED by the Town Council of the Town of North Smithfield as follows: 1. There is hereby, effective immediately this date, February 4, 2008, a moratorium, prohibition and ban on the erection, installation and use of OWBs not heretofore already installed, erected and in use as of the date of this resolution. 2. This moratorium shall remain in place for the period through and including August 1, 2008, or until such other time as shall be established by the town council by resolution or ordinance. 3. That the town solicitor is instructed to continue the investigation, through research, consultation with experts, and the drafting of appropriate legislation for consideration by this council, of the use and regulation, by resolution or ordinance, of the continued use of present and the new installation of all OWBs in North Smithfield, and to present such to the town council on an expedited basis.”

APPOINTMENT TO HISTORIC DISTRICT COMMISSION

There was no appointment.

APPOINTMENTS TO PLANNING BOARD

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to appoint Steven R. Parent of 1353 Woonsocket Hill Road as the 1st Alternate to the Planning Board. This is a one-year term that expires on December 1, 2008.

MOTION by Mrs. Thibault, seconded by Mr. Leclerc, and voted unanimously on an aye vote to appoint Eugene Simone of 33 Lincoln Drive as the 2nd Alternate to the Planning Board. This is a one-year term that expires on December 1, 2008.

APPOINTMENT TO SEWER COMMISSION

There was no appointment.

ELECTION REFORM

College student Jonathan Bogard was in attendance representing a coalition of 15 organizations concerned with the state of democracy in Rhode Island. He noted every election has met with a lower voter turnout and 86 percent of Rhode Islanders believe the state is controlled by a small group. Mr. Bogard was specifically working to raise awareness and support for the Public Financing of Elections Act. This bill would create a voluntary system of full public financing for all statewide elections.

The Council agreed to support this bill and asked the Clerk to provide a resolution for the February 19th meeting.

MOTION by Mr. Leclerc, seconded by Mr. Keeley, and voted unanimously on an aye vote to adjourn at 9:20 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk