

# **SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**MARCH 2, 2009**

**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 Dr. Benoit, Mr. Biron, Mr. Leclerc, Mr. Zwolenski and Mr. Lovett. Town Administrator Hamilton and Town Solicitor Nadeau were also in attendance.

Mr. Lovett read the following disclaimer: "It is the Board's understanding that this meeting is being videotaped for future broadcast on cable television. Please be advised that this videotaping is being done by private citizens. It is not being done on behalf of the Town of North Smithfield, nor is the Town of North Smithfield in any way sponsoring or affiliated with it. It is not a public record. The Town of North Smithfield especially disclaims any liability for the contents or the accuracy thereof. Any video tape of this meeting or any other use of said video tape or other recording and the contents thereof are solely the responsibility of the parties doing this videotaping.

## **COASTAL RECYCLING INVOICE**

Mrs. Hamilton spoke with Brenda MacDonald of the finance office who told her this was a monthly fee for additional pickup at three of the town's condominiums. Other Council members could not recall seeing this growth fee charge in prior monthly bills.

**Mr. Lovett asked if someone could speak with Coastal Recycling to get more information.**

**MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to table this to March 16, 2009.**

### **CONDITION OF ROADS/SEWER PROJECT**

**Mrs. Hamilton met with representatives from Rocchio Corporation, Design Engineer James Geremia and Public Works Director Raymond Pendergast. An agreement was reached whereby the town will no longer be responsible for sanding and salting. Rocchio Corporation agreed to cold patch areas prior to a storm and also once a week as the need arises. The cost for sand, salt, materials and personnel expended by the town was estimated to be \$6,000 and the town will receive a reimbursement. Starting around April 1st, final paving of several roads will begin.**

**Sewer Commission Chair Linda-Jean Briggs clarified that the sewer project will be absorbing the \$6,000, not Rocchio Corporation.**

**March 2, 2009**

**Mrs. Hamilton noted there seemed to be a stalemate regarding the Mendon Road area. There is an underground spring and a high water table there. Initial borings did not indicate any springs and**

**engineering designs went forward under the assumption there were none there. Mrs. Hamilton continued that the project would cover the cost of designing a diversion across the street to a catch basin as well as the materials. The Public Works Department would be doing the installation.**

**Both Mr. Leclerc and Mr. Zwolenski did not believe it was in the town's best interest to do any of the work in that area to mitigate the problem.**

**Mrs. Briggs thought that, at the meeting, Rocchio Corporation had offered to provide a price to redirect the water but it would be an add-on to the contract.**

**Mr. Biron suggested the Town Solicitor review the sewer contracts to determine whether the town has grounds to have Rocchio Corporation make the repairs rather than having funds come out of the sewer project bond.**

**Mr. Nadeau also wanted to review the request for proposal and the bid submitted by Rocchio Corporation.**

**Mrs. Hamilton stated that Mr. Geremia was quite adamant that the Mendon Road water issue was a pre-existing condition and that Rocchio Corporation was not responsible for it.**

**MOTION by Mr. Zwolenski, seconded by Mr. Biron, and voted unanimously on an aye vote that, beginning with the April 6, 2009 meeting and then every first Council meeting of the month thereafter until the project is completed, sewer issues that include payment of invoices, road conditions and financial impacts be added to each agenda.**

### **EAGLE SCOUT AGENDA**

**Boy Scout Matthew Gardner expressed his wish to the Council to build eight park benches and to plant trees at Pacheco Park as his Eagle Scout project. He will be asking adult leaders and fellow scouts to volunteer in assisting him.**

**The Council members wished Matthew well in his endeavor.**

### **2ND READING ORDINANCE AMENDMENT RE: SALARIES AND WAGES**

**Mrs. Hamilton stated that due to the economy, budget constraints and possible personnel cuts, she is withdrawing her request to make changes to the salaries of the Finance Director and the Assistant Finance Director.**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to table the second reading indefinitely.**

### **EMERGENCY ORDINANCE RE: SPECIAL FLOOD HAZARD AREAS**

## **AND FLOOD FRINGE LANDS**

**Newly hired Town Planner, Robert Ericson, explained this ordinance, Section 6.18 of the Zoning Ordinance, was reviewed by the Ordinance Review Committee and the Planning Board and was scheduled for a public hearing on March 16, 2009. However, Mr. Ericson learned that March 2nd was the absolute last date for passage or the town would be dropped from the National Flood Insurance Program and that would expose the Town to potential uninsured liabilities. Therefore, since the Town Charter provides for it, the ordinance was being presented under emergency measures this evening.**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to adopt the Emergency Amendment to the Zoning Ordinance, Section 6.18 Special Flood Hazard Areas and Flood Fringe Lands.**

## **WATER TAX APPEAL – DSF SLATERSVILLE MILL, LLC**

**Mr. Nadeau stated he received a 29-page document last Friday afternoon from Attorney Michael Kelly regarding this matter and would like more time to review points of the letter.**

**March 2, 2009**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to table this discussion to April 20, 2009.**

## **EXECUTIVE SESSION**

**MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on an aye vote to enter into executive session at 8:35 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining to discuss 1.) Access to Annette Avenue, 2.) Lachapelle lawsuit and 3.) Update on negotiations with town union employees re: proposed union contract concessions for FY 2009.**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to come out of executive session at 9:59 P.M. and to seal the minutes. One vote was taken with regard to the Annette Avenue litigation.**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to adjourn at 10:00 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**