

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

AUGUST 17, 2009

KENDALL-DEAN SCHOOL

7:00 P.M.

GOOD & WELFARE

School Athletics Pay-to-Play

Bill Nangle of 3 Indigo Farm Road felt the school department should not have been level-funded and although he can afford to pay for school sports, he will not.

Tony Guertin of 8 Country Way does not want to pay to play either and asked the Town Council to work the budget out with the School Committee.

Steven Vowels echoed Mr. Nangle and Mr. Guertin and hopes the funding will happen.

Robert Thurber commented that taxpayers paid a lot of money for fields and it is a disservice not to fund sports. He urged the Council to come up with the money.

Carol Nasuti of 5 Lincoln Drive suggested renting the field to make money and pay for sports.

Ernest Alter of 600 Victory Highway stated the school department had the opportunity to add to its budget but intentionally chose not to.

The School Department is using children as pawns to get more money from the taxpayers.

Charter Review Commission

Mr. Nangle asked the Council to get a Charter Review Commission going again.

REGULAR MEETING

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.

APPROVAL OF MINUTES

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to approve the minutes of June 30 and July 13, 2009.

PAYMENT OF BILLS

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve payment of the following: General Fund - \$156,088.73; Sewer - \$4,995.49; Water - \$46,806.19; School Department Wire Transfer (Sept. 2009) - \$1,586,112.00; (Correction F/Y 2008/2009) - \$80,000.00; and Fire Department Wire Transfer - \$200,164.67 for a total of \$2,074,149.08.

2ND READING ORDINANCE AMENDMENT RE: SALARIES AND WAGES

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 3 to 2 (Mr. Biron and Mr. Zwolenski voted no) on a roll call vote to approve as a second reading the following ordinance amendment:

DEPARTMENT	FY 08/09	FY 09/10
1. General Government		
Town Administrator 7/1/07-6/30/08	68,900	
Town Administrator 7/1/08-11/30/08	29,150	
Town Administrator 12/1/08-6/30/09	42,135	
Town Administrator 7/1/09-6/30/10		71,290
Grant Writer	14,784	10,000
Town Council (each) 7/07-11/07	1,275	
Town Council (each) 12/07-6/08	1,275	
Town Council (each) 7/08-6/09		2,550
Probate Judge	3,914	3,920
Board of Canvassers, Chairman	500	500
Board of Canvassers (each)	400	400
Town Clerk	52,440	52,440
Deputy Town Clerk	30,516	30,520
Finance Director	79,159	79,160
Asst. Finance Director	46,222	35,000
Personnel/Administrative Serv. Dir.		
Solicitor	58,789	58,790

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Assistant Solicitor	21,855	21,860
Town Planner	56,687	56,690
Tax Assessor	51,000	51,000
Admin Asst. to Administrator	30,732	30,740
Asst. Tax Collector	19.17/hr	19.17/hr
Commission Secretary	17.44/hr	17.44/hr
Finance Clerk I	16.10/hr	16.10/hr
Finance Clerk II	14.47/hr	14.47/hr
Recording Clerk	14.47/hr	14.47/hr
Inspection Division Clerk	14.09/hr	14.09/hr
Secretary (Tax Assessor's)	14.09/hr	14.09/hr
Planning Secretary	14.09/hr	14.09/hr

2. Public Safety

A. Building Insp./Zoning Official	47,711	47,720
Electrical Inspector (PT)	7,865	7,870
Plumbing Inspector (PT)	3,440	3,440
Mechanical Inspector (PT)	3,440	3,440
Building/Zoning Inspector (PT)	11,111	5,110
Assistant Electrical Inspector	3,497	3,500
Sealer of Weights and Measures	1	1
Police Chief	68,959	71,030
Admin Asst to Police Chief	28,404	17,000

3. Police Department

Captain	1,056.91/wk	1,056.91/wk
Lieutenant	1,031.33/wk	1,031.33/wk
Sergeant	1,005.74/wk	1,005.74/wk
Detective	980.19/wk	980.19/wk
Patrolman (over 1 year)	941.79/wk	941.79/wk
Patrolman (6 mos/1 year)	808.35/845.39/wk	808.35/845.39/wk

4. North Smithfield Local 937 Contract

Asst. Highway Superintendent

Asst. Labor Foreman	17.85/hr	17.85/hr
Foreman (new position 7/1/2007)	19.85/hr	19.85/hr
Animal Control Officer	18.20/hr	18.20/hr
Police Dispatcher (1st shift)	15.87/hr	15.87/hr
Police Dispatcher (2nd shift)**	15.87/hr	15.87/hr
Police Dispatcher (3rd shift)**	15.87/hr	15.87/hr
Police Clerk/Dispatcher (part time)	15.15/hr	15.15/hr
Mechanic	18.26/hr	18.26/hr
Mechanic/Driver	17.23/hr	17.23/hr
Equipment Operator	16.81/hr	16.81/hr
Truck Driver	16.07/hr	16.07/hr
Laborer	14.42/hr	14.42/hr
Highway Dispatcher	14.42/hr	14.42/hr

Clerk (Highway)	14.09/hr	14.09/hr
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5. Public Works

Director of Public Works PT	18,479	18,850
Highway Superintendent		
Water & Sewer Superintendent	51,401	51,401
Water & Sewer Assistant	36,565	36,565
Parks & Recreation Director	40,849	40,480
Tree Warden	1,729	1,730
P & R Maint. PT	10.00/hr	10.00/hr
Playground Supt. PT	10.00/hr super. 8.00/hr couns.	10.00/hr 8.00/hr

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	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 differential.****

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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 charter 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 2009/10. This ordinance shall become effective upon passage and all Ordinances or part of Ordinances inconsistent herewith, are repealed.

REDEVELOPMENT AGENCY

Mrs. Hamilton provided a list of persons interested in serving on the Redevelopment Agency.

It was Mr. Lovett's understanding that the creation of the Redevelopment Agency was to attract businesses to the town and he

was uncertain as to how that would happen if there was no infrastructure. Since the Council elected to stop the Branch Village phase of the sewer project, Mr. Lovett feels the Council needs to decide how it is going to proceed with sewers before this agency moves forward.

In response to a question by Mr. Biron, Mrs. Hamilton stated the Redevelopment Agency ordinance was for the whole town but did place an emphasis on the Branch Village section.

Mr. Zwolenski recalled that this agency would have to come before the Town Council before starting any commercial development but that the Branch Village area was the primary focus.

Mr. Leclerc remembered that Branch Village was not the total scope of the group. The agency's power is in researching and advising and then bringing forth any ideas before the Town Council. Mr. Leclerc does not feel it would be too premature to have the group meet and strategize on other areas.

MOTION by Mr. Leclerc and seconded by Mr. Zwolenski to place the appointments to the Redevelopment Agency and the scope of their duties on the next agenda.

The **MOTION** was amended by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously to specify the date as September

21, 2009.

LIZ DEVELOPMENT

Mr. Nadeau recently met with Town Planner Robert Ericson and the developer, Vincent Mesolella. The matter is going back before the Planning Board on September 3rd. Mr. Mesolella was given two options: 1.) To begin the work that needs to be done and have substantial work completed by September 3rd or 2.) At the September 3rd Planning Board meeting it would be recommended to call the bond and exercise the town's right to have the work done pursuant to the bond calling process. Mr. Mesolella is considering his options.

CHERRY BROOK

Mr. Ericson was ill and unable to attend tonight's meeting.

Both Liz Development and Cherry Brook will be added to the September 8th agenda.

RI LEAP RESOLUTION

Mr. Pendergast had notified the clerk that he would like to have this matter continued to the next meeting.

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc and Mr. Biron, and voted unanimously on an aye vote to continue to September 8, 2009.

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CONSERVATION COMMISSION MINUTES

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to place on file the minutes of June 9, 2009.

PLANNING BOARD MINUTES

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to place on file the minutes of June 4, 2009.

SEWER COMMISSION MINUTES

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to place on file the minutes of June 17, 2009.

SEWER PROJECT – RIGHT SEWERS INC.

Design Costs

Ms. Mariellen Sheridan questioned the design costs for all three phases. It appears to her that there are discrepancies between the Facilities Plan numbers and the Engineer's contract.

Numbers provided by Mrs. Hamilton were \$524,425.33 for Phases IA and IB, \$170,459.00 for Phase II and \$215,399.00 for Phase III. These numbers include design and engineering costs.

Mrs. Hamilton provided additional numbers for paving costs for Phases IA and IB, police details, costs associated with going out to bond, and the cost for grinder pumps.

Mr. Leclerc noted that he has been in charge of reviewing documents and he has not seen any overage in any line item.

Ms. Sheridan also questioned going forward with the Phase III design since the engineer did not know which streets were in it and there were a lot of pockets and voids.

Construction Costs

Mr. Robert Thurber of 20 Brian Avenue asked if the drainage issue on Mendon Road had been charged to the sewer project or would it be charged to the capital budget.

Mr. Leclerc answered that it was out of the sewer project.

Mr. Thurber felt it was a pre-existing condition and should not be the responsibility of people receiving sewers. It should come out of the town budget.

Mr. Thurber came up with a possible assessment of \$9,916.00 for residents in Phases IA and IB but was told that those phases would have to be completely finished before the assessment would be known.

Although Mr. Thurber is opposed to proceeding with any portion of Phases II or III, if it would be in the best interest of the town, he would ask the Council and the Sewer Commission to downsize the scope of Phase II to include that section between St. Paul Street and Mendon Road.

Equivalent Dwelling Units

Mrs. Carol Nasuti noted that Buckley Drive was not included in the sewer project and those residents do have some problems with septic systems. She agreed with Mr. Thurber that Phase II should not go forward as planned but should be developed in the business area and for those who really need sewers.

Mrs. Nasuti asked if there were any updates on the number of Equivalent Dwelling Units (EDU) and has the town had the opportunity to validate the information provided by Mr. Geremia.

Dr. Benoit commended the Right Sewers Inc. group for their dedicated efforts; however, he found fault that they did not provide their questions in advance in order to enable the Council to be much more prepared to give responses.

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Mr. Lovett reiterated that if anyone wants clarification on numbers,

they should speak with the Administrator and the Finance Director.

APPOINTMENTS TO HISTORIC DISTRICT COMMISSION

There were no appointments.

APPOINTMENT TO ORDINANCE REVIEW COMMITTEE

There was no appointment.

COMMUNICATIONS

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to receive and place on file the following: A.) Animal Control Monthly Report for July 2009; B.) NSF&RS Inc. Monthly Incident Report for July 2009; C.) Resolution Opposing Health Insurance Rate Hikes Proposed by Blue Cross and United Health from the Town of Glocester; D.) Resolution Urging Support of US Supreme Court Opinion in Carcieri V. Salazar from the Town of Portsmouth; and E.) Resolution Requesting the General Assembly Enact Legislation Criminalizing Prostitution from the Town of Middletown.

EXECUTIVE SESSION

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on an aye vote to enter into executive session at 8:45 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss the Lachappelle Claim Against the Town of North Smithfield for Rent/Damages and Use of Property.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to come out of executive session at 9:05 P.M. and to seal the minutes. No motions were made and no votes were taken.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to adjourn at 9:06 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk