

# **REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL**

**MAY 16, 2011**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

## **OPEN FORUM**

### **School Department Budget**

**Mr. George Hemond of 18 Eaton Street spoke about the school department budget praising the excellent job done by the school district in redistributing costs. He mentioned the reduction in federal and state aid and unfunded mandates, all added costs to the taxpayers. Mr. Hemond commented there has been a decrease in the number of students but it is in proportion to a decrease in the number of teachers. He also touched on salaries, step increases and student rankings nationwide and statewide in reference to advanced placement classes in math and reading.**

### **Purchase of Police Department Vehicles**

**Mr. Steven Biron asked if he would be able to address this topic when it comes up for discussion and was told that he would be allowed time.**

## **REGULAR MEETING**

**The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mrs. Charest, Mr. McGee, Mr. Zwolenski and Mr. Yazbak. Town Administrator Hamilton was also present. Town Solicitor Nadeau arrived much later in the**

evening due to a prior commitment.

## **CONSENT AGENDA**

**Mr. Yazbak removed the payment of bills from the consent agenda.**

**MOTION by Mrs. Charest, seconded by Ms. Alves, and voted unanimously on an aye vote to approve the following: 1.) Approval of Minutes of April 11 and 18 & May 2, 2011; 2.) Monthly Financial Report for April 2011; 3.) Budget Committee Minutes for April 26, 2011; 4.) Conservation Commission Minutes for March 8, 2011; 5.) Fire Code Advisory Committee Minutes for May 2, 2011; 6.) Parks and Recreation Commission Minutes for March 28, 2011; 7.) Sewer Commission Minutes for January 19 and February 2, 2011; 8.) Zoning Board Minutes for**

**May 16, 2011**

**March 22, 2011; 9.) Budget Committee 2011/2012 Capital Budget Summary; 10.) Animal Control Monthly Reports for April 2011; 11.) NSF&RS, Inc. Monthly Reports for January, February, March and April 2011; 12.) Resolutions from Town Councils of Narragansett, Portsmouth and Warren; 13.) Resolutions from School Committees of Bristol-Warren and Cumberland; 14.) Communication from Burrillville Town Clerk; and 15.) Communication from Providence City Council President Michael A. Solomon.**

## **PAYMENT OF BILLS**

**Mr. Yazbak questioned why there were no bills in the packets.**

**Finance Director Brian Silvia explained there had been some discussion as to whether or not it was in the Charter that the Town Council had to authorize payment of bills.**

**Mrs. Hamilton explained that she had asked the question of the Town Solicitor, “If a line item is not exceeded, does an individual bill have to go in front of the Council?” There have been issues in the past with getting bills paid on time because they are only paid once a month.**

**Mr. Yazbak had spoken with Mr. Nadeau who said he understood the question to be if it was under the roles and responsibilities of the Town Council for bills to be approved by them.**

**A significant amount of time had been spent earlier in the year on developing a process by which certain reoccurring bills could be paid by the administration and then approved after the fact. After reading from the Charter, Article VII, Sec. 2(3) which states the Finance Director’s duties include making payments after receiving authorization from the Town Council, Mr. Yazbak felt that now all bills once again should come before them.**

**VICTUALING LICENSE – TWO PAPAS BISCOTTI CO. INC./K. RASPALLO**

**MOTION by Ms. Alves, seconded by Mr. McGee, and voted unanimously on a roll call vote to approve a victualing license for Two Papas Biscotti Co. Inc. located at 900 Victory Highway.**

**HOLIDAY SALES LICENSE – AMERICAN PROMOTIONAL EVENTS  
D/B/A TNT FIREWORKS**

**MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted unanimously on a roll call vote to approve a holiday sales license for American Promotional Events d/b/a TNT Fireworks at 1401 Victory Highway.**

**TRANSFER OF BV LIQUOR LICENSE FROM KISMET INC TO TUROYO  
INC.**

**The Clerk informed the Council that she had not yet received the Certificate of Good Standing or the Department of Health certificate. Also there was an outstanding invoice.**

**MOTION by Mrs. Charest, seconded by Ms. Alves, and voted unanimously on an aye vote to continue this matter to June 6, 2011.**

**AWARD OF BID RE: POLICE VEHICLES**

**MOTION by Ms. Alves, seconded by Mr. McGee, and voted unanimously on an aye vote to move this item up next on the agenda.**

**MOTION by Mrs. Charest and seconded by Mr. Zwolenski to award the bid for the purchase of three 2011 Ford Crown Victorias to MHQ**

**Municipal Vehicles for the amount of \$83,844.00. Funding for two of the vehicles, at a cost of \$55,896.00, will come from the cell tower revenue and the funding for the third vehicle will come from the police detail funds.**

**Mr. Steven Biron of 2000 Providence Pike, while he was recently a member of the Town Council, did extensive work in getting quotes for refurbishing current police vehicles. It would have included a complete mechanical refurbishing and the transmission would have had a better warranty than a new vehicle. The quotes varied from a low of \$8,000 up to a high of \$15,000. This plan could save the town money.**

**On a roll call vote the MOTION passed unanimously, 5 to 0.**

**May 16, 2011**

**MOTION by Mrs. Charest, seconded by Ms. Alves and Mr. Zwolenski, and voted unanimously on an aye vote to authorize the Town Administrator to sign the contract.**

**Since there is expected to be another round of purchasing police vehicles and since Mr. Yazbak felt that Mr. Biron had brought forth some good points, he asked the administration to revisit refurbishing some police vehicles.**

## **GILFILLAN ROAD PROPERTY**

**Ms. Hamilton organized a meeting with a representative from the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Director Craig Stenning, Ms. Hamilton, Senator Tassoni, Mr. Zwolenski and a couple of the neighbors of the Gilfillan Road property. The group was informed there would be four disabled women in the residence. The licensing process was explained and there is no requirement to contact town officials. It is considered a residence.**

**Ms. Paula Farrell of 88 Homestead Avenue, one of the attendees, read the following letter: “As requested by the Town Council on May 2nd, Mr. Beauregard and I attended a meeting on Thursday, May 12th with officials from the Behavioral Healthcare, Developmental Disabilities and Hospitals at their office in Cranston. Attendees at the meeting included our Town Administrator, Ms. Hamilton, a member of our Town Council, Mr. Zwolenski, a representative from Seven Hills, Sen. Tassoni, Director Craig Stenning, the State Administrator of Licensing, and the Director of Quality Assurance. Rep. Newberry was invited but unable to attend. I am not aware of invitations extended to Sen. Fogarty or Sen. Cote. Brenna McCabe, reporter from the Valley Breeze attended as well. I will do my best to share with you the most salient points of our discussion. From the commencement of the meeting it was quite apparent that our state officials had a predetermined purpose for our meeting which was vastly different than the purpose understood by Mr. Beauregard and me. While I was**

not naïve enough to think we would hold hands and sing Kum Ba Yah, I believed at a minimum we would have been met with a level of professional decorum. Director Stenning immediately took control of the meeting and began to further his agenda. He stated that he did not agree to have the media present at this meeting nor had anyone in the room given permission to have their picture taken. He then began to preach the message of the department and all the good that is being done by his department as Mr. Beauregard and I respectfully listened. He listed his career history and credentials. He told us about his experience as a Town Councilman in Cranston. He quoted a number of statistics to illustrate to us that items mentioned in the newspaper articles were not factual. He stated that he wanted to set the record straight since his office was not contacted by the media for a comment or statement prior to publishing the article in the newspaper. Director Stenning walked us through the 3 phases of the Community Residence Model for his department and explained that his department is no longer purchasing property to be used as group homes. The current phase of the state's model allow for private agencies to own and run the group homes. There are currently more than 350 group homes in RI run by one state agency and 40 private agencies. Director Stenning acknowledged that his department was the largest part of the state budget and he stated that over the last 5 years RI has reduced its financial commitment to Developmental Disabilities by the largest percentage in the country. Although Mr. Beauregard and I listened intently to all of the facts that the Director presented, we both quickly determined that the purpose of the

meeting was misrepresented to the Director. I determined at that point that I needed to interject and explain to the Director that it was not our intent to criticize or question the legitimacy of his department.

Our purpose was to determine the facts. I further explained to Dir. Stenning that I have a niece with special needs, a family member who worked in the mental health field, a family member who worked in a group home with mentally challenged persons and I commend the work that they do and the services they provide. The purpose for our meeting today was to determine: 1. The intended use of the home located at Gilfillan Road in NS; 2. The expectations of the upkeep and maintenance of the exterior of the home; 3. The equitability of group homes in each town/city in RI. I thanked the Director for his letter dated May 5th

May 16, 2011

in which he stated that the state had no record of an application for licensing regarding the Gilfillan property. The Director then stated that he did not understand why we thought there was an application. I explained that we had been told by our Town Administrator on May 2nd that an application was in process. Because of our understanding that an application was in process our Town Council President requested that Ms. Hamilton coordinate today's meeting so that we could learn the facts and discuss the intended use of the home together. At this point we could only be provided a verbal description of what they believed the intended use would be for this

home. The Director stated that he believed the home would have 4 disabled women residents. The representative for Seven Hills confirmed this and further stated that she did not know where we got the idea that there would be 3 residents. She stated it has never been 3 and that she was concerned that we had given the address of this home and the description of 3 elderly women to the press because this is a safety issue for these women. I explained that our information regarding the number of residents was provided by our Town Administrator at the May 2nd Town Council meeting and that was reported by the press. We asked for clarification from the state officials regarding the licensing of this home for current use and future use. We were told that the process for this particular group home would include the surrendering of the current license for the group home in which these individuals currently reside and a new application would be generated and reviewed for licensing. The Director stated that this was more of a “transfer of a license” but would still be processed as was just explained. With regard to future use, our discussion pointed to the current state statute: Title 34, Chapter 34-4, Section 34.4.25 which outlines the state of RI’s public policy in reference to allowing community residences in residential areas. As was confirmed at our meeting, this statute only pertains to mentally retarded and mentally disabled individuals. If Seven Hills decides to change the use of this group home to anything other than the mentally disabled individuals, Seven Hills will be required to obtain a new license AND will be required to adhere to local zoning ordinances which would prohibit the use of a home in a residential

**district as a halfway house or substance abuse treatment facility (as defined on page 133 of NS Zoning Ordinance document). According to Section 13.2 of the NS Zoning Ordinance document, “No zoning ordinance shall be adopted, repealed or amended until after a public hearing has been held upon the question before the Town Council.” This section also outlines the specifics regarding public notification regarding the public hearing. Relating back to Title 34, state officials confirmed for us that the group home owners, Seven Hills/Homestead Group, must comply with all local zoning and building code requirements. This is in complete contradiction of what we have been told by our building inspector and our town administration. The state does not supersede all. The state cannot do anything they want to. Whether the state or a private foundation owns the property, they must adhere to our town laws. In regards to the other 9 group homes in our town, I explained to the Director that the exterior and property surrounding these homes were not well maintained. He asked for more specifics because he stated that all of these homes should be well maintained and that he had never received a complaint about these homes. I explained that we witnessed dumpsters in the front yard at one property, cars and vans parked on the lawns at multiple properties, lawns were not cut or well kept, etc. He asked me to provide him with the addresses of these properties and he committed to having a survey completed on each of the properties so that violations could be addressed and corrected. The Director of Quality Assurance also stated that anyone can call the HOTLINE 401-462-2629 to report issues or violations with regard to a group**

home. I provided the addresses to his licensing administrator at the conclusion of the meeting. Before the conclusion of our meeting, I explained to Dir. Stenning that our community understands and embraces our responsibility to help others in need in our community. We are concerned that our town has assumed a larger financial burden than other communities within our state given the number of tax-exempt group homes in our town. He dismissed our concern by stating that his department employs thousands of people who pay taxes. At the conclusion of our meeting, our TA stated "I hope that you are satisfied with the answers to your questions." In spite of the fact that our intended purpose for this meeting was misrepresented to the state officials, Mr. Beauregard and I believe our meeting helped to

May 16, 2011

establish three important points: 1. Although the official licensing is not in place, if the intended use holds true, the initial impact on our neighborhood may be somewhat limited; 2. Our town officials do have authority over the enforcement of town laws with regard to this property and we will hold them accountable for this responsibility; 3. State officials agreed to survey the 9 group homes in town and take corrective action. We plan to continue to pursue the question of equitable distribution of these group homes across our state with our state officials and we believe it is in our town's best interest for our town officials to support our efforts. As concerned residents of North Smithfield we have invested a great deal of time and energy to bring

**this issue to light for the good of our entire town. We expect our town officials to: 1. Continue to follow the application and licensing process as this moves forward; 2. Enforce all of the town laws to the “letter of the law” regardless of what their relationship might be with Seven Hills/Homestead Group officials; 3. Follow up on the surveys to be conducted by state officials of the 9 other group homes in our town; 4. Proactively communicate with us regarding developments on any and all of the above. This has been quite an eye opening experience for me. I must say that I was most disturbed by the fact that our TA was quick to take credit for coordinating this meeting with state officials in the newspaper, on the radio and in the town newsletter however she came to the meeting completely unprepared. She did not provide a written agenda, she did not ask a single question, nor did she make one single statement in support of our town or the town residents. This meeting with state officials could have been avoided had she taken interest in the concerns that we brought forth as residents of the town of NS. I find it completely inexcusable that Ms. Hamilton stated on the radio on Saturday morning, 5/14/11 that she felt the meeting with state officials was “very productive” and “everyone feels much more comfortable now”. I find this appalling because she left the meeting without speaking to Mr. Beauregard or me. I respectfully request the support of the entire Town Council to hold both our TA and our Town Building Inspector accountable for the vigilant oversight of all issues pertaining to this group home on Gilfillan Road. Thank you.”**

**Mr. Yazbak felt there should be a written document sent to the state recapping the meeting that could be placed in the file for future reference if necessary.**

**Regarding the equitability of the number of group homes in various cities and towns, Senator Cote, in a conversation with Ms. Farrell, committed to her that if she mapped out the specifics, he would employ researchers at the state level to get specifics for the town.**

**There was discussion as to whether non-profit entities in town pay for trash collection.**

#### **FISCAL YEAR 2010/2011 SCHOOL DEPARTMENT DEFICIT**

**Superintendent of Schools Stephen Lindberg wrote the following letter to Council President Yazbak: “I submit the following statements and requests on behalf of the School Committee. We recognize and thank the Town Council and its members, as well as the Town Administrator and Finance Director, who are working diligently with school department officials to resolve this year’s deficit. We especially wish to thank the Town Council for their majority vote to approve \$123,000 towards the School Department deficit. We are fast approaching the end of the fiscal year – less than two months. The State has been made aware of and informed since October 2010 of the School Department deficit. As fiscal year end approaches, formal notification should be given to RIDE and the Office of Municipal Affairs that would explain how the FY11 deficit**

issue has been resolved. In an effort to avoid any possible sanctions or penalties from the State, we request that we resolve the immediate matter by the end of May so appropriate letters may be issued. To that end, we respectfully request your [Town Council's] consideration of the following: 1. Respectfully request that the \$123,000 be voted on for inclusion in the current FY11 School Department budget as an increase in FY11 local appropriation. There is precedent for such positive action as such action should be recognized as an impact on the Town's "Maintenance of Effort". Also, please note #4 below in support of this request. 2. Respectfully request a sense of when the School

May 16, 2011

Department would be able to access the funds. Again, we are precariously close to the end of the year and would not want to interrupt the payment of salaries or bills. 3. Respectfully request confirmation that the School Department will receive the previous Town Council's [last year's] voted upon FY11 gross appropriation figure of \$20,618,255. It would seem that the Town Council commitment of \$123,000 could go towards resolving that request. Gross FY11 appropriation based upon an incorrect state figure. Town's Gross Appropriation for aid to education for this fiscal year is - \$20,618,255. The Local portion was listed as \$16,567,821. Gross budget was erroneously based on anticipated State contribution of \$3,930,434.00. Actual State contribution was \$3,551,863 for a negative difference of \$378,571. Although it is believed that the

School Committee has a cause of action for the difference between the gross appropriation figure and what we anticipate is \$20,119,804, we seemed to agree on January 8, 2011 that the two boards, Town Administrator, Finance Director, Superintendent, and Business Manager would collectively work through this without initiating such action.

4. Respectfully request that the Town Council retroactively increases its Maintenance of Effort [MOE] obligations to FY09 levels for FY11 – this present fiscal year. In essence, this request is in support of #1 and #3 above especially with regard to committing \$123,000 to the FY11 local appropriation. We believe that The Town was in violation of current and former Maintenance of Effort requirements as set out in R.I. Gen Laws §§16-7-24 and 16-7-25. To the best of our knowledge, the Town's reduction of its FY11 Maintenance of Effort requirement was not based upon an analysis of impact to educational programming in our District. (See Commissioner's memo of June 16, 2010.) At present, we are in violation of the Basic Education Plan [BEP] and an increase, not decrease, to our local funding was required.

5. Respectfully request that should the Northmen Athletic Club present the Town Council with funds and a request that the Town Council transfer their donation to the school department, that the Town Council consider that donation/funds be considered an addition to the Local Appropriation. This would go further towards addressing #3 and/or #4 above – restoring the local appropriation MOE as well as meeting the total appropriation vote.

6. Respectfully request confirmation that the School Department will receive the previous Town Council's

**voted upon FY10 gross appropriation figure - \$21,091,090. We understand that the Council may choose to place that decision on “hold”; however, we have a responsibility to ask. S/Stephen F. Lindberg on behalf of the School Committee”**

**Mr. Yazbak asked the other Council members if they were in agreement to fund the \$20,618,255 amount that was appropriated by the prior Council and all agreed to that amount.**

**In response to a question, Mr. Silvia stated he has been assured that the \$123,000 will come to the town this fiscal year. With that \$123,000 transferred, there still remains a shortfall of \$255,571 for the school department.**

**At the School Budget Deficit Advisory Committee meeting last Wednesday, Mr. Yazbak had asked for recommendations from the administration on where the funding will come from.**

**Mr. Silvia stated the consensus at that meeting was to use the surplus. However, in talking to the town’s financial adviser at First Southwest and the town’s auditor, neither recommended using surplus funds or at least using the minimal amount necessary. They recommended having a surplus amount of five to eight percent of the operating budget. The town is just over five percent right now. Mr. Silvia is trying to take as much as he can from the operating budget to offset the deficit.**

**MOTION by Mr. Yazbak and seconded by Mrs. Charest to authorize the administration to take up until next Monday to identify any line items that they can, use that in a priority manner, and take the remaining funds to equal the \$378,571 that is needed to fund the previously agreed upon \$20,618,255 for the FY11 budget and then transfer that money to the school department as expediently as possible.**

**May 16, 2011**

**Roll call: Ms. Alves – no; Mrs. Charest – yes; Mr. McGee – yes; Mr. Zwolenski – no; and Mr. Yazbak – yes. The motion carried 3 to 2.**

**MOTION by Mrs. Charest, seconded by Mr. Yazbak, and voted unanimously on an aye vote that the administration will complete the transfer of the actual funds, maybe not the accounting, by June 7, 2011.**

#### **MUNICIPAL ANNEX/POLICE STATION FIRE CODE APPEAL**

**Mr. McGee explained this is being actively worked on and the group is waiting for people to get together; however, there is nothing new to report at this time.**

#### **AWARD OF BID FOR TRASH/RECYCLING CONTRACT**

**MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted unanimously on an aye vote to move this item up on the agenda.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to award a one-year contract for refuse and recyclables collection to Coastal Recycling Inc. in the amount of \$464,280.00 based upon the recommendations of the Public Works Director and the Finance Director.**

**MOTION by Mrs. Charest, seconded by Ms. Alves, and voted unanimously on an aye vote to authorize the Town Administrator to sign the contract.**

**RESOLUTION RE: COMMUNITY SERVICES BLOCK GRANT**

**MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted unanimously on a roll call vote to support the following resolution for the Tri-Town Community Action Agency in their application for a Community Development Block Grant: “WHEREAS, the Town of North Smithfield continues to have a high incidence of poverty and unemployment and these conditions severely affect the quality of life for many of our neighbors; and WHEREAS, the Tri-Town Community Action Agency has utilized Community Services Block Grant and other funding leveraged from that source to successfully and efficiently provide services and opportunities to low-income and unemployed residents; and WHEREAS, the Community Services Block Grant provides not only funding but by law assures local**

control through a mandated board structure and flexibility to address changing local needs; and WHEREAS, funding for the Community Services Block Grant is targeted for drastic reductions in multiple federal budget proposals, putting the entire range of services and opportunities provided by the Tri-Town Community Action Agency at risk. NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of North Smithfield is fully supportive of the Tri-Town Community Action Agency and urges that adequate funding for the Community Services Block Grant be adopted in the Congressional appropriations process to assure the continuation of so many vital services to the citizens of North Smithfield.”

#### **ORDINANCE FOR ANNUAL REVIEW OF DISABILITY PENSIONS**

Mr. Yazbak agreed to work on a draft of this ordinance with Mr. Nadeau and asked if the other Council members were amenable to this. They all agreed.

#### **PUMPKINFEST CONTRACT**

Ms. Hamilton explained this was basically a request for the use of a school facility.

Mr. Yazbak was of the understanding this constitutes a contract and may need Council approval. He asked Ms. Hamilton to review it and bring it back sometime in June.

#### **TOWN AND LAND TRUST APPLICATION TO RIDEM FOR OPEN**

## **SPACE GRANT**

**Mr. Ericson explained that in 2006 the North Smithfield Land Trust was awarded a \$400,000 grant for the land located behind Dowling Village abutting Booth Pond. The Town gave up on the wind turbine because of the case before the Public Utilities Commission. The Department of Environmental Management was very understanding and supportive so the town is bringing back the Land Trust application with the town as a co-applicant. This application will get that money back again. It will cover 38 acres and includes a winding piece of land that goes to the top of a hill, the proposed location for a wind turbine. The Town**

**May 16, 2011**

**will receive a lease payment of \$40,000+ per year that will pay for the debt service of the bond. In twenty years it will be paid off.**

**(Mr. Nadeau arrived at 9:18 P.M.)**

**Ms. Roxanne Arruda of 40 Old Louisquisset Pike had a concern about a wind turbine in a residential area believing that it could detract from a person's home. She hopes the town makes it known that a turbine may be coming into the community. Ms. Arruda also commented that Dowling Village has not been a good neighbor and has not been complying with town ordinances.**

**Dr. Caroly Shumway stated that obtaining the 38 acres protects North**

**Smithfield's aquifer recharge area and also protects part of the supply basin for Woonsocket's drinking water. It will also provide passive recreational opportunities.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves and Mrs. Charest, and voted unanimously on a roll call vote that the Town of North Smithfield join in an application with the North Smithfield Land Trust to apply to DEM for a \$400,000 open space grant.**

**RESOLUTION IN OPPOSITION TO MANDATORY CONTRACT CONTINUATION LEGISLATION**

**MOTION by Mr. Yazbak, seconded by Mr. Zwolenski and Mrs. Charest, and voted unanimously on a roll call vote to approve the following resolution as presented: "WHEREAS, Current state law does not provide for mandatory continuation of either existing municipal employee or school teacher collective bargaining agreements; and WHEREAS, A Superior Court justice recently ruled that state statute, defining when a contract ends, obviates any clause agreed to, allowing for a continuation of a public employee contract; and WHEREAS, School districts and cities and towns have seen a calamitous reduction of state aid; and WHEREAS, There exists a \$300 million dollar revenue/expenditure gap for the FY 2012 budget that may result in further local aid reductions; and WHEREAS, Taxpayers are already burdened by some of the highest property taxes nationally; and WHEREAS, School districts and cities and towns must comply with RIGL §44-5-2 that caps the property tax levy**

**imposed by municipalities; and WHEREAS, According to §16-2-9(d) “The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt”; and WHEREAS, School committees may require employee concessions to comply with the aforementioned state statutes; and WHEREAS, 2011 – S413 and H5943 would mandate that an expired contract shall continue under the same terms and conditions; and WHEREAS, This would serve as a disincentive for unions to bargain in good faith and allow existing employee wages and benefits to continue unchanged indefinitely thus forcing districts to possibly violate RIGL §44-5-2 and §16-2-9(d). NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of North Smithfield respectfully requests the Rhode Island General Assembly to oppose 2011 – S413 and H5943 that mandates expired teacher contracts must continue at the existing terms and conditions; and BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to every Rhode Island Municipality, School Committee, State Senator, State Representative and the Governor.**

**MOTION by Mrs. Charest, seconded by Ms. Alves and Mr. Zwolenski, and voted unanimously on an aye vote to adjourn at 9:33 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**