

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

MAY 21, 2012

KENDALL-DEAN SCHOOL AUDITORIUM

7:00 P.M.

OPEN FORUM

Economic Reform

Mr. Ernest Alter of 600 Victory Highway urged the Town Council to lobby the state legislature for basic structural reforms involving federal and state mandates and union contracts. Mounting expenditures have driven up real estate taxes which in turn have helped to make this state the most unfriendly state in the country to do business. Collective bargaining contracts need to be reformed. The Council needs to understand, advocate, promote and fight for the economic conditions that will make this a cheap and attractive place for people to live and to do business. The town must also be protected from undesirable commercial activity.

Silver Pines

Mr. Joseph DeMayo has been before the Council many times on issues regarding the Silver Pines development. He has presented all the material showing discrepancies in the rezone of Phases I and II from 2000/2001 and this Council has taken no action.

Non-Union Employee Compensation

Ms. Mali Jones of 19 Indigo Farm Road commented about the ordinance recently enacted that requires public hearings prior to

certain contract approvals. She questioned why this ordinance did not include non-unionized workers in North Smithfield. Ms. Jones stated she has been unable to learn whether work performed by the Town Solicitor or the Assistant Town Solicitor is considered part of their regular duties or extraordinary litigation that is billed above and beyond the stipend paid to them. If rules are not formalized, she urged the Council to remedy the situation forthwith.

Mr. Yazbak noted that the police chief is the only non-union employee who has a contract. All others are at-will employees who serve at the pleasure of the Town Administrator/Town Council.

Disclaimer

Mrs. Charest 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 video taping.”

REGULAR MEETING

The regular meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. McGee, Mr. Yazbak, Mr. Zwolenski and Mrs. Charest. Town Solicitor Nadeau was also in attendance. Town Administrator Hamilton was unable to attend due to a prior family commitment.

PRESENTATION OF AWARDS – NORTH SMITHFIELD POLICE DEPARTMENT

Chief Reynolds presented awards to several members of the police department to honor their outstanding accomplishments in several areas. This time was chosen in recognition of National Peace Officers Memorial Day. Those receiving awards were Captain Bradley Aubin, Executive Officer, Lieutenant and Acting Captain Tim Lafferty, Lieutenant Glenn Lamoreux, Officer Greg Landry, Officer Robert Nolette, Dispatcher Jason Dagnese, Officer Eric Rondeau, Officer Eugene Cabral, Officer Joshua Nelson, Officer Ellen Lamoureux,

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Sergeant Jared Salinaro, Sergeant Mark Bergeron, Officer Michael Lamoureux and Officer Jay Rainville. Chief Reynolds also introduced two of the three recruits who will be entering the training academy in July – Timothy Lipka and Steven Donovan. The third recruit is Emmanuel Avila who was unable to attend this evening due to a prior commitment.

PUBLIC HEARING RE: ZONING ORDINANCE – WETLAND SETBACKS

FOR ONSITE WASTE WATER TREATMENT SYSTEMS, OWTS

Town Planner Robert Ericson explained that Caroly Shumway of the Ordinance Development Committee had to attend an awards ceremony this evening and would be unable to attend the Council meeting.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 1 on an aye vote (Mr. Yazbak voted no) to continue the public hearing to August 20, 2012.

CONSENT AGENDA

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on an aye vote to approve the following as presented:

1.) Town Council minutes of April 2 and 16 & May 7, 2012; 2.) Payment of Bills (General Fund - \$180,282.89; Sewer - \$20,720.22; Water - \$3,326.98; School Department - \$1,440,455.00; and Fire Department - \$195,147.00 for a total of \$1,839,932.09); 3.) Monthly Financial Reports for April 2012; 4.) Budget Summary Reports General Fund/School Fund FY 2012; 5.) Budget Committee minutes for April 12 and 26, 2012; 6.) Budget Committee Recommendations on Capital Budget 2012/2013; 7.) Conservation Commission minutes for March 13, 2012; 8.) Ordinance Development Committee minutes for March 8 and 19 & April 12, 2012; 9.) Parks and Recreation Commission minutes for March 26 and April 30, 2012; 10.) Animal Control Monthly Report for April 2012; 11.) NSF&RS Inc. Monthly Incident Report for April 2012; 12.) Police Department Monthly Activity Report for April 2012; 13.) NS

Municipal Court Monthly Activity Report for the 3rd Quarter 2011/2012 and April 2012; and 14.) Resolutions from Burrillville, East Greenwich, Jamestown and Narragansett Town Councils.

RESOLUTION RE: GOVERNOR'S LEGISLATION

Mr. Brian Daniels of the Governor's office presented several back-up documents to the Council members. He explained that the Governor introduced this legislation because he has heard from a number of municipal leaders about the financial constraints they have been facing as a result of cuts in state aid to the municipalities.

Because of the numerous documents presented this evening, MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to table this to June 4, 2012.

BOND REFUNDING

Finance Director Brian Silvia has looked into refinancing some bonds that would create some savings for the town. He feels he will be able to save approximately \$175,000. Mr. Silvia noted there will be no credit agencies looking at the bonds as he will be going directly to the banks rather than going out for RFPs.

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on an aye vote to approve as presented and recommended by the administration.

SERVING FOOD AND ALCOHOL ON OUTSIDE DECK – THE PINES RESTAURANT

The owners of The Pines Restaurant, located at 1204 Pound Hill Road, requested permission to serve food and alcohol outside on a newly constructed attached 16 by 26 foot deck. It will consist of five tables with a total seating capacity of twenty people and will be open Wednesday through Sunday from 12:00 P.M. to 11:00 P.M.

When questioned by Mr. Zwolenski, Mr. Constantineau confirmed there would be no amplified speaker systems or glaring lights.

MOTION by Mr. Yazbak, seconded by Mr. McGee and Mr. Zwolenski, and voted unanimously on an aye vote to approve the request as presented.

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RESIGNATION/APPOINTMENT TO ORDINANCE DEVELOPMENT COMMITTEE

Mr. Zwolenski informed the Council members that Dr. James Brennan will be moving out of state and thus leaving the Ordinance Development Committee.

Mr. Zwolenski has been in contact with Mr. Richard Morin who has expressed an interest in joining the committee.

MOTION by Mr. Zwolenski and seconded by Mr. McGee to appoint Richard Morin of 86 Log Road to the Ordinance Development Committee.

Mr. Nadeau advised that since there has been no official resignation, it would be inappropriate to make an appointment.

Mr. Zwolenski withdrew his motion and Mr. McGee withdrew his second.

MOTION by Mr. Zwolenski, seconded by Mr. Yazbak, and voted unanimously on an aye vote to continue this to June 4, 2012.

OUTDOOR SOUND SYSTEM PERMIT – K. ALVES

Ms. Alves will be hosting a 50th anniversary party for her parents on July 1, 2012 at 2001 Providence Pike between the hours of noon to 9:00 P.M. She is requesting permission to obtain an outdoor sound system permit for the occasion.

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 4 to 0 on a roll call vote (Ms. Alves recused herself) to approve an outdoor sound system on July 1, 2012 at 2001 Providence Pike from noon to 9:00 P.M.

EXECUTIVE SESSION

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on an aye vote to enter into executive session at 7:44 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss potential solution to fire code violations at the North Smithfield Police Department and issues regarding changes to personnel and collective bargaining agreement(s) necessary to implement such solution.

MOTION by Mr. Yazbak, seconded by Ms. Alves, Mr. McGee and Mr. Zwolenski, and voted unanimously on an aye vote to come out of executive session at 8:27 P.M. and to seal the minutes. No motions were made and no votes were taken.

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on an aye vote to adjourn at 8:27 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk