

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

NOVEMBER 4, 2013

KENDALL-DEAN SCHOOL AUDITORIUM

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 Ms. Alves, Mr. McGee, Mr. Yazbak, Mr. Zwolenski and Mr. Flaherty. Town Administrator Hamilton and Town Solicitor Lombardi were also in attendance.

**RESOLUTION RE: CESARIO APPLICATION TO AGRICULTURAL
LAND PRESERVATION COMMISSION**

(Mr. Yazbak recused from this discussion)

**MOTION by Mr. Zwolenski, seconded by Mr. McGee and Ms. Alves,
and voted 4 to 0 on a roll call vote to approve the following resolution
brought forth by Ms. Cesario for land located on Pond House Road:**

**“WHEREAS, The Town of North Smithfield is dedicated to the
preservation of open space and working farmlands within the
community, consistent with the town-approved Comprehensive
Community Plan; and WHEREAS, Mrs. Elizabeth Caesario of 11 Pond
House Road wishes to permanently preserve valuable local farmland
that she owns and that has been actively farmed since 1902; and
WHEREAS, these farmlands contribute to the economic vibrancy of
North Smithfield; and WHEREAS, The Rhode Island Agricultural Land
Preservation Commission (ALPC) oversees the preservation of
agricultural lands through the state purchase of farmland**

development rights; and WHEREAS, Purchasing development rights from farmers enables them to retain ownership of their property and protects their lands for agricultural use while at the same time providing farmers with a financially competitive alternative to development; and WHEREAS, All program applications are reviewed and scored by the ALPC according to parcel size; soil quality; agricultural operation and viability; protection of water supplies and quality; open space, cultural and scenic features; flood protection; relative development pressure; and consistency with state and local plans; and WHEREAS, Funding for this program is provided through the state Open Space Bond; The Nature Conservancy, through grants from the Champlin Foundations; the United States Department of Agriculture's (USDA) Farm and Ranch Lands Protection Program; and through the leveraging of land trust and municipal funds; and WHEREAS, Mrs. Cesario has filed an application for the State of Rhode Island to purchase the development rights to her farmland.

NOW, THEREFORE, BE

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IT RESOLVED, That the North Smithfield Town Council hereby expresses its enthusiastic support of Mrs. Cesario's application to the membership of the Rhode Island Agricultural Lands Preservation Commission."

TRANSFER OF BV LIQUOR LICENSE FROM MMCR INC. D/B/A CUCINA TO MADAVO LLC D/B/A CUCINA

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve the transfer of the liquor license, effective December 1, 2013, from MMCR Inc. d/b/a Cucina to Madavo, LLC d/b/a Cucina subject to receipt of the Certificate of Good Standing and the certificate of inspection issued by the Department of Health.

Mr. Zwolenski stated in the past vendors have come forward with outstanding invoices so he would agree to the transfer as long as any outstanding vendor invoices have been paid in full as well.

VICTUALING LICENSE FOR MADAVO LLC D/B/A CUCINA

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve a victualing license for Madavo LLC effective December 1, 2013 to coincide with the transfer of the liquor license.

TOWN BUDGET FOR FISCAL YEAR 2013/2014

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on an aye vote to receive and place on file the memo referring to the town budget.

APPOINTMENT TO REDEVELOPMENT AGENCY

MOTION by Mr. Zwolenski, seconded by Ms. Alves and Mr. Yazbak, and voted unanimously on a roll call vote to appoint Frederick A. Bellows III to the Redevelopment Agency. This is the completion of a

five-year term that expires December 1, 2015.

APPOINTMENT TO PERSONNEL BOARD

There was no appointment.

APPOINTMENT OF JUVENILE HEARING BOARD CO-ORDINATOR

MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to appoint Mary Silva as the Co-Ordinator for the Juvenile Hearing Board.

APPOINTMENT TO SEWER COMMISSION

There was no appointment.

APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION

Ms. Hamilton nominated Scott Lentz of 474 Buxton Street.

MOTION by Mr. Yazbak, seconded by Mr. McGee and Mr. Zwolenski, and voted unanimously on a roll call vote to approve Ms. Hamilton's nomination of Scott Lentz to the Economic Development Commission. This is the completion of a five-year term that expires December 1, 2013.

EXECUTIVE SESSION

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to enter into executive session at 7:35 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 1.) Kaczorowski vs. Town of North Smithfield, 2.) Narragansett Improvement Company, et als v. Jill Gemma et als, C.A. PC08-7468; 3.) Narragansett Improvement Company, et als v. Vincent Marcantonio, et als, C.A. No. PC08-6504; 4.) Town of North Smithfield v. Narragansett Improvement Company, et als, PC08-3674; and 5.) Update on Contract Negotiations with RI Council 94, AFSCME, AFL-CIO.

MOTION by Mr. McGee, seconded by Ms. Alves, and voted unanimously on a roll call vote to come out of executive session at 8:42 P.M.

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to seal the minutes. No motions were made and no votes were taken.

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AWARD OF BID FOR PUBLIC BUILDING REVIEW PROJECT PROPOSALS

The Public Facilities Advisory Task Force Committee had met in the fall and delegated the responsibility of reviewing proposals to a subcommittee of six people. Five proposals were received and subsequently scored. The goal is to come back with a vision how best to use space for town meetings and the cost of renovating

facilities. This will ultimately be put before the voters. The recommendation is for Robinson Green Beretta Corporation.

MOTION by Mr. Flaherty, seconded by Mr. Yazbak and Mr. Zwolenski, and voted unanimously on a roll call vote to authorize the Town Administrator to execute a contract agreement in consultation with the Town Solicitor to proceed with Robinson Green Beretta Corporation for the amount of \$46,600.

EXTENSION OF JOINT RESOLUTION FOR TOWNS OF NORTH SMITHFIELD, BURRILLVILLE, GLOCESTER AND SMITHFIELD

MOTION by Mr. Yazbak, seconded by Mr. McGee, and voted unanimously on a roll call vote to approve the extension of the following joint resolution: “WHEREAS, the Towns of Burrillville, Glocester, Smithfield and North Smithfield (the “Towns”) have entered into an Interlocal Equipment Sharing and Personnel Interchange Contract (“Interlocal Contract”) which said Interlocal Contract is incorporated herein by reference; and WHEREAS, the Towns are desirous of implementing said Interlocal Contract upon certain terms and conditions consistent with the Interlocal Contract.

NOW, THEREFORE, in furtherance of said Interlocal Contract and in order to implement the same, the Towns hereby resolve as follows:

- 1. Commencing July 1, 2013 the Towns shall make their equipment and personnel available to provide labor and services to the other Towns subject to the applicable provisions of the Interlocal Contract.**
- 2. The cost to the requesting Towns for equipment, wages and/or**

salary for personnel shall be in accordance with the schedules attached hereto as Exhibits "A" and "B". Shared personnel shall be paid by their own employing Town and both the providing Towns and requesting Towns shall keep track of and account for hours worked by shared personnel. 3. Regular and overtime wages shall be paid in accordance with the shared services wage worksheet attached hereto as Exhibit "B". 4. During the course of each fiscal year all costs for shared personnel and equipment shall be accounted for and banked by the respective Towns and said Towns shall credit each other on a continuing basis with respect to the costs of shared personnel and equipment. 5. Prior to the expiration of each fiscal year, costs for shared personnel and equipment shall be reconciled and any balance due shall be paid by a requesting Town to the providing Town or may be continued forward by mutual agreement of the providing and requesting Towns. 6. Should any instance arise with respect to damaged or malfunctioning equipment, misconduct by shared personnel, injury to any shared personnel or any event which could result in possible loss or liability to a providing Town then the requesting Town shall immediately notify the providing Town verbally and in writing of such event or occurrence. 7. This resolution shall be in effect from July 1, 2013 subject to the provision that rates for shared personnel and equipment may be reviewed by the respective Towns in March of each year and may be modified for the subsequent fiscal year by mutual agreement. 8. This resolution shall remain in continuous force and effect subject to a town's right to withdraw and revoke its future obligations upon 90 days notice in accordance with

the Interlocal Contract.”

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

Respectfully submitted,

Debra A. Todd, Town Clerk