

**SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**SEPTEMBER 8, 2015**

**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. Soly, Mr. Zwolenski and Mr. Boucher. Mrs. Nadeau was unable to attend due to a prior commitment. Also in attendance were Town Administrator Hamilton and Town Solicitor Iglizzi.

**EXTENDED HOURS OF OPERATION - CT GAS**

Mr. Chaouki Khalil, owner, and Mr. Paul Boutros, representative, of CT Gas, located at the corner of Smithfield Road and Greenville Road, requested to open twenty-four hours, seven days a week. The store has been broken into and vandalized a couple of times within the last few weeks and they feel having activity there will lessen the chance of more break-ins that are creating a financial hardship.

Both Mr. Zwolenski and Mr. Soly expressed concern about the impact on the abutting residential neighborhood.

**MOTION** by Mr. Boucher to allow Mr. Khalil to open his establishment for twenty-four hours, seven days a week. There was no second; therefore, the motion died.

**MEMORANDUM OF UNDERSTANDING WITH MUTUAL AID FIRE**

## **CHIEF'S ASSOCIATION FOR SIMULATOR TRAINING**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to move this item up next on the agenda.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to approve payment of \$3,552.00 as North Smithfield's share of the cost.**

**September 8, 2015**

## **AWARD OF CONTRACT FOR HIGHWAY DEPARTMENT CRACK SEALING**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve the purchase of crack sealing through the RIDOT contract from Sealcoating, Inc. at a cost of \$0.26 per linear foot. The material is PCRM.**

## **WEBSITE CONTENT PROJECT**

**Finance Director Jason Parmelee explained that this would be a temporary agreement until the issue of hiring an IT person has been addressed. There is no one on staff presently who can update the town's website.**

**MOTION by Mr. Zwolenski and seconded by Mr. Boucher to approve a monthly temporary contract with Brave River Solutions at a cost of \$550.00 per month to handle website content tasks of updating up to**

**four pages of content weekly and with the assumption that any/all updates are for areas which are editable within the Brave River CMS. Changes that require development capabilities will be quoted separately.**

**Mr. Soly questioned the cost of overages. Mr. Parmalee did not know but will check with the company.**

**Mr. Zwolenski subsequently withdrew his motion and Mr. Boucher withdrew his second.**

**MOTION by Mr. Soly, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to authorize the Town Administrator to sign and enter into a contract with Brave River Solutions to provide assistance with periodic updates of the Town's website with an estimated volume of up to four pages updated weekly for \$550.00 per month with the contingency that a price for overages or up to sixteen updates per month be written into the contract.**

## **COMMERCIAL SERVICES AGREEMENT WITH COX BUSINESS**

**Mr. Soly recused from this discussion.**

**Mr. Parmelee stated that former Assistant Finance Director Tracey Keegan had done a review of Cox business services two years ago but the Council at that time did not want to sign a contract because it would have locked them into higher rates. The Town will save about**

**\$200 per month by signing this new contract which will increase internet speeds and keep the same phone coverage.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 3 to 0 on a roll call vote to enter into a contract with Cox Business for the amount specified within the report certified by the Finance Director and to authorize the Town Administrator to sign the document.**

#### **UNAUDITED BALANCES FOR YEAR END JUNE 30, 2015**

**Mr. Parmelee presented these reports and noted the bottom line surplus for the current year is projected at \$490,545.97.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to accept Mr. Parmelee's report as presented.**

#### **FOOD SCRAP COLLECTION PROGRAM - MY BLUE HEAVEN FARM**

**This is a program whereby food scraps are collected from the four town schools -- Halliwell School, NSES, NS Middle School and NS High School -- when school is in session and then used to feed farm animals.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the food scrap collection program with My Blue Heaven Farm in the amount of \$3,000 per year with funding to come from recycling revenue and to authorize the**

**Town Administrator to sign the document.**

## **ABATEMENTS**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to accept the abatements as presented which reflect credits in the amount of \$3,949.31 and debits in the amount of \$3,391.38 for a difference of \$557.93.**

**September 8, 2015**

## **RESIGNATION FROM PARKS AND RECREATION COMMISSION - P. PAUL**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to accept the resignation of Phil Paul from the Parks and Recreation Commission and to send him a letter of appreciation.**

## **PUBLIC HEARING RE: ZONING ORDINANCE AMENDMENT SECTION 6.18 SPECIAL FLOOD HAZARD AREAS AND FLOOD FRINGE LANDS**

**The purpose of this ordinance is to ensure public safety; minimize hazards to persons and property from flooding, to protect watercourses from encroachment, and to maintain the capability of floodplains to retain and carry off floodwaters. The town of North Smithfield elects to comply with the requirements of the National Flood Insurance Act of 1968.**

**Town Planner Robert Ericson reviewed some of the sections.**

**No one spoke during the public hearing.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to close the public hearing.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to accept this as the first reading.**

**ORDINANCE AMENDMENT SECTION 2-194 PUBLIC BUILDING IMPROVEMENT COMMISSION**

**This amendment was to change the membership from seven voting members to “at least” seven voting members.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to accept this as the first reading.**

**EXECUTIVE SESSION**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to enter into executive session at 8:00 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 Kimberly Enterprises Inc. vs North Smithfield Zoning Board PC 2012-4822.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted**

**unanimously on a roll call vote to invite Zoning Board Chairman William Juhr into executive session.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to come out of executive session at 8:59 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher and Ms. Alves, and voted unanimously on a roll call vote to enter into executive session at 9:00 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 Solbrite Energy vs Town of North Smithfield TC-2015 and to invite Zoning Board Chairman William Juhr into executive session.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to come out of executive session at 9:45 P.M. and to seal the minutes. No motions were made and no votes were taken.**

#### **SOLAR ENERGY PROPOSAL - ENERGY DEVELOPMENT PARTNERS**

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

**Frank Epps, Principal of Energy Development Partners, was present**

**to update the Council on what has been done since the last meeting. This is a 2.5 megawatt solar facility located on the sand pit area of the EPA superfund site near Old Oxford Road and Pound Hill Road. The Planning Board has approved the project and Mr. Epps will be going before the Zoning Board on September 22, 2015. They have received approvals for interconnections with National Grid.**

**September 8, 2015**

**Mr. Epps discussed possible rates and estimated a possible savings on average of \$96,000 per year over twenty-five years or \$2.4 million.**

**MOTION by Ms. Alves, seconded by Mr. Boucher, and voted unanimously on an aye vote at 9:59 P.M. to extend the meeting to 10:30 P.M.**

#### **EXECUTIVE SESSION**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on an aye vote to enter into executive session at 10:00 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 Cheryl E. Branchaud in her capacity as Trustee of The Cheryl E. Branchaud Living Trust u/d/t December 20, 2006 vs Town of North Smithfield, et al CA No PC 15-1363.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted**

**unanimously on an aye vote to come out of executive session at 10:07 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on an aye vote to continue the remaining items listed under executive session to the next meeting.**

**SCHEDULING PUBLIC HEARING DATE FOR ZONING ORDINANCE AMENDMENT SECTION 5.7 GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to schedule the public hearing for October 5, 2015.**

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

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

**MOTION by Ms. Alves, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the wage ordinance whereby the salary for the Finance Director for FY 15/16 is \$73,406 and for FY 14/15 is \$72,500 and the salary for the Tax Assessor for FY 15/16 is \$55,459 and for FY 14/15 is \$54,106.**

## **RESOLUTION RE: QUONSET AIR MUSEUM**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to adopt the following resolution:**

**“WHEREAS: The Quonset Air Museum has been a catalyst in keeping the legacy and history of military aviation for our town, state, and nation alive; and WHEREAS: The Museum functions as a research, education, and exhibit facility to preserve Rhode Island’s rich aviation history; and WHEREAS: Since 1992, the air museum has educated the public from all over the world in our State’s aviation legacies and displays collections that document the contributions of Rhode Islanders to the growth and development of aviation and space exploration; and WHEREAS: There is a present need for a museum focused on the history of North Kingstown and the State of Rhode Island’s place in our nation’s rich aviation history; and WHEREAS: The Quonset Air Museum fills this need while bringing added tourism and complementing our extremely successful Rhode Island National Guard Open House and Air Show; NOW, THEREFORE, BE IT RESOLVED: That the North Smithfield Town Council: 1) fully supports the endeavors of the Quonset Air Museum to remain at its current location, work on a plan to remediate its building maintenance issues, and return stronger than ever to bring Rhode Island and North Kingstown’s rich military aviation heritage and important events to life; 2) would not endorse any plans for the Rhode Island Airport Corporation to evict, remove, or place the Quonset Air Museum and its artifacts in jeopardy of destruction, deterioration, repossession, or private purchase for personal gain; and 3) respectfully requests that**

**the Rhode Island Airport Corporation work with the Quonset Air Museum and all interested Cities and Towns, on a plan to keep the museum in its rightful place and retract its eviction notice for September 2015, since the museum still has six years on its lease with the Corporation; and THEREFORE, BE IT FURTHER RESOLVED: That a copy of this resolution be forwarded to Governor Gina Raimondo, Senate President M. Teresa Paiva Weed, Speaker of the House Nicholas A.**

**September 8, 2015**

**Mattiello, State Senator Elaine J. Morgan, State Representative Justin Price, State Representative Doreen Costa, the Quonset Development Corporation Board of Directors, the Rhode Island Airport Corporation, and all Cities and Town seeking their support in opposing same.”**

## **TAX ABATEMENTS FOR TAX STABILIZATION PROGRAM PARTICIPANTS**

**Mr. Michael Rapko noted that he and others, including Budget Committee Chairman Michael Clifford, Budget Committee member Elizabeth Faricy and Tax Assessor David Dolce, have reviewed how tax stabilization for senior citizens has been handled by other communities. They do not want to approve any abatement numbers until the process has been approved by the Town Council. It is estimated that there will be \$22,000 in tax credits for 21 people.**

**For security purposes and to protect the senior participants from**

**embarrassment, the Council agreed to identify the property owners by plat and lot.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, Mr. Boucher and Ms. Alves, and voted unanimously on a roll call vote to approve the process for tax credits for the senior citizens who participated in the tax stabilization program and to have the Tax Assessor use plat and lot for identification purposes.**

#### **COSTS INCURRED BY RISE MAYORAL ACADEMY LITIGATION**

**A letter had been sent to Council members from School Committee Vice Chair Arthur Bassett asking the Town Council/Town of North Smithfield to consider sharing costs incurred as a result of the RISE Prep Mayoral Academy litigation.**

**Mr. Boucher noted that he had gone before the Committee and implored them not to get involved in the litigation but he is hoping the ruling by Judge Silverstein will not cause any financial impact to the School Committee. Since the Town did not incur any expenses, Mr. Boucher feels the School Committee should cover whatever costs there may be.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote not to expend any money concerning the RISE Mayoral Academy litigation since it was the decision of the School Committee to join in.**

**Mr. Zwolenski commented that this is a very co-operative School Committee, he does not wish to ruffle any feathers and everyone does need to co-operate.**

**The Clerk was asked to send a letter to the School Committee expressing the wishes of the Council.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on an aye vote to adjourn at 10:28 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**