

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

DECEMBER 7, 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 Mrs. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Also in attendance was Town Solicitor Igliazzi.

MOMENT OF SILENCE

Mr. Boucher asked for a moment of silence in remembrance of those who served and died during the Pearl Harbor invasion.

RESIGNATION OF SCHOOL COMMITTEEMAN ROBERT LAFLEUR

MOTION by Mr. Boucher, seconded by Mr. Soly and Mr. Zwolenski, and voted 4 to 0 on a roll call vote to accept Mr. Lafleur's letter of resignation effective November 30, 2015.

APPOINTMENT TO SCHOOL COMMITTEE - MR. LOMBARDI

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted 4 to 0 on a roll call vote to swear in Mr. James J. Lombardi, IV to the School Committee.

PRE-BUDGET CONFERENCE WITH SCHOOL COMMITTEE AND BUDGET COMMITTEE

Present from the Budget Committee were Mrs. Faricy, Mr. Ahern and

Mr. Rapko.

Present from the School Committee were Mrs. Nadeau, Mr. Bassett, Ms. Jalette, Mr. Clifford and Mr. Lombardi.

Use of School Department Surplus

Health and Safety issues slated to be dealt with at the high school under the bond issue are renovations of the locker rooms and the science rooms including the purchase of necessary science equipment. There is about \$1.5 million in the school department's surplus fund. It was suggested that some of that surplus be used to address the health and safety issues.

A couple of months ago a question about allowing the school department to use part of the surplus for the purchase of Chromebooks had been brought forth. Because the funds were not in the school department budget, there was a question if the money had to be reappropriated. Mr. Soly recalled that a legal opinion was supposed to be sought and he wondered if that had been done.

Mr. Rapko felt the real issue was whether the funds could be spent without Council approval.

Mr. Igliazzi thought a letter sent to the Rhode Island Department of Education by Attorney Scungio discussed adding to the maintenance of effort.

In a letter to the Council, the Budget Committee asked for three motions to be considered:

1.) Authorize the School Committee to utilize up to \$1 million of its current surplus to begin addressing the High School health and safety issues of locker room upgrades, purchase of necessary science equipment and eventual science room renovations (in that order). This would reduce the amount of bond money needed to be issued immediately and thus lessen the burden on the taxpayers.

2.) Request that the School Committee and School Administration work with the PBIC in identifying a multi-year plan for such health and safety renovations using the school surplus funds with the goal of submitting these requests in this year's School Capital Planning Budget by January 2016.

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3.) Request that the School Committee authorize the PBIC to oversee all aspects of these health and safety projects.

Mr. Soly would like to see the School Committee, along with the School Superintendent and the Facilities Manager, establish a plan before any spending of the surplus occurs.

The School Committee has voted not to touch the surplus until they

have a reconciled budget for this past fiscal year and year-to-date spending for the current year.

(Town Administrator Hamilton arrived at 7:25 P.M.)

Mrs. Nadeau spoke about possibly having a \$500,000 revolving capital fund.

MOTION by Mr. Soly that if the School Committee, at their next meeting, comes up with a process by which the \$1.2 million surplus will be used to address educational as well as health and safety needs as they see fit, they are free to use the surplus money up to a percentage as refunded by RIDE for the health and safety issues.

Mr. Soly later withdrew his motion.

MOTION by Mr. Soly, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to continue this matter to December 21, 2015.

Pre-Budget Consultation Information

School Committee Chairwoman Merredythe Nadeau explained that the document provided to the Council this evening satisfies the Title XVI requirement for the pre-budget consultation.

Mr. Rapko recalled last year that numbers were not provided for certain items in the school department budget such as spending for

the vocational school, special education, and transportation costs and the same issue appears to be happening again. He would like to receive more accurate numbers for the Budget Committee to work with.

School Committeewoman Liane Jalette commented that with the budget having to be submitted so early, the numbers are not concrete and they change from month to month.

CHARTER AMENDMENTS

Daniel Halloran felt the Charter is in disarray, the recall section is vague, there is an extra expense associated with holding a special election which has been mentioned, the only School Committee members who could be recalled are those who were elected, based on RI Municipal Credit Ratings a Town Administrator is as good as a Town Manager, looks like it is being snuck through and should not be voted on until the November election, and he recommends establishing a Charter Commission.

Elizabeth Faricy stated it is important to have a Town Manager who can bring knowledge and experience to the position. There will be a proper vetting process. With an appointed Town Manager there would be more continuity and more professionalism.

Michael Clifford commented there are 22 cities/town with managers in Rhode Island. He noted that Mr. Halloran did not speak about the

bond ratings for those cities/towns with elected mayors/town administrators. After serving on the Budget Committee for the past three years, he is more aware of what's happening in the town. Mr. Clifford is tired of paying for other people's mistakes. He feels a manager would have the skill set to negotiate contracts.

John Flaherty, while serving as the Town Council president, learned how incredibly complex the position has become. He did not feel the question as it was written in 2010 was good enough.

Mark Labossiere likes the ability to vote on the town leaders and does not like losing that control. He understands the need for change but perhaps the qualifications for an Administrator could be the same as for a Manager.

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Margaret Votta would like to think the residents are intelligent enough to vote for someone qualified. Voting at a special election could be seen as a way to sneak in a vote.

Mrs. Nadeau said that without a special election ballot, whoever is elected a Town Administrator would be a lame duck.

George Dys would like to see the vote taken at a regular election. He would like the whole town to have the opportunity to vote.

Mr. Zwolenski will support it if the Council votes to place the question on a ballot but is a firm believer of checks and balances. He still believes if a person wishes to run, he should be given that chance. A Town Manager will not be a panacea for future problems.

Mr. Soly has reviewed the proposed amendment and thinks it is well written. He supports a Town Manager but does have a concern about a low voter turnout at a special election.

(Ms. Alves arrived at 9:10 P.M.)

Mr. Boucher feels that with the complexities of the position, it behooves the town to have a professional administrator.

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this public hearing to December 21, 2015.

AGREEMENT WITH CLEAN ECONOMY DEVELOPMENT

There are six to nine projects that Mr. Julian Dash will be working on for the town. The revised agreement proposes two things: moving from project to project to monthly and the new scope of the project financing.

Because the Council members had not received the revised version of the agreement in their packets, MOTION by Mr. Zwolenski,

seconded by Mr. Boucher, and voted unanimously on a roll call vote to continue this matter to December 21, 2015.

COMPLAINTS REGARDING BUFFALO WILD WINGS

Neighbor of Buffalo Wild Wings, Mrs. Rivera, stated that prior issues with the lights and the trash pick-up have been addressed. However, there presently is concern with the loud vacuuming of the parking lots between 2:00 a.m. and 3:00 a.m.

Ms. Hamilton was asked to contact the Police Department to have them issue citations if the noise ordinance is not being followed.

RESIGNATION FROM PLANNING BOARD - C. ROBERTS

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to accept the letter of resignation of Cynthia Roberts, effective November 2015, and to send her a letter of appreciation.

APPOINTMENT TO BUDGET COMMITTEE

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted 4 to 1 on a roll call vote (Ms. Alves voted no) to reappoint John Zambarano. This is a three-year term that will expire on December 1, 2018.

APPOINTMENTS TO HISTORIC DISTRICT COMMISSION

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to reappoint Daniel M. Couture. This

is a three-year term that will expire on December 1, 2018.

MOTION by Mrs. Nadeau, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to reappoint Jeffrey P. Harris. This is a three-year term that will expire on December 1, 2018.

MOTION by Mr. Boucher, seconded by Mr. Soly, Mrs. Nadeau and Mr. Zwolenski, and voted unanimously on a roll call vote to reappoint Christian de Rezendes. This is a three-year term that will expire on December 1, 2018.

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APPOINTMENTS TO JUVENILE HEARING BOARD

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to reappoint John Sutherland. This is a three-year term that will expire on December 1, 2018.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to reappoint Maureen Donnelly. This is a three-year term that will expire on December 1, 2018.

APPOINTMENTS TO PARKS AND RECREATION COMMISSION

There were none.

APPOINTMENT TO PERSONNEL BOARD

Ms. Hamilton initially submitted the name of Dinna Finnegan but then withdrew her name.

Ms. Hamilton submitted the name of Robert Guernon for reappointment.

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to accept Ms. Hamilton's appointment of Robert Guernon. This is a two-year term that will expire on December 1, 2017.

APPOINTMENTS TO PLANNING BOARD

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to reappoint Lucien Benoit. This is a five-year term that will expire on December 1, 2020.

MOTION by Mrs. Nadeau, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to reappoint Dinna Finnegan as a fulltime member. She will be completing the five-year term of Cynthia Roberts that will expire on December 1, 2016.

MOTION by Mr. Boucher, seconded by Mr. Soly, Mrs. Nadeau and Mr. Zwolenski, and voted unanimously on a roll call vote to reappoint David Punchak as the first alternate. This is a one-year term that will expire on December 1, 2016.

There was no appointment for second alternate.

APPOINTMENT TO PUBLIC SAFETY COMMISSION

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to reappoint Sean Rousseau. This is a three-year term that will expire on December 1, 2018.

APPOINTMENT TO REDEVELOPMENT AGENCY

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to reappoint John J. Gibbons, III. This is a five-year term that will expire on December 1, 2020.

APPOINTMENT TO SEWER COMMISSION

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to reappoint William A. Dorry, IV. This is a five-year term that will expire on December 1, 2020.

APPOINTMENTS TO ZONING BOARD

MOTION by Mr. Zwolenski, seconded by Mr. Boucher and Mrs. Nadeau, and voted unanimously on a roll call vote to appoint Robert Najarian as a fulltime member. This is a five-year term that will expire on December 1, 2020.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to reappoint Vincent Marcantonio, Sr. as the first alternate.

There was no appointment for second alternate.

EXECUTIVE SESSION

MOTION by Mr. Boucher, seconded by Mrs. Nadeau and Mr. Zwolenski, and voted unanimously on a roll call vote to enter into executive session at 9:51 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 the Interjurisdictional

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Water and Wastewater Agreements with the City of Woonsocket and potential litigation.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on an aye vote to come out of executive session at 10:15 P.M. and to seal the minutes. No motions were made and no votes were taken.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on an aye vote to adjourn at 10:15 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk