

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

NOVEMBER 16, 2015

KENDALL-DEAN SCHOOL AUDITORIUM

6:45 P.M.

OPEN FORUM

Town Videographer

Mr. Zwolenski had several questions regarding the videotaping of town meetings including remuneration of the videographer, the process for getting the meetings on You Tube and who purchased the equipment.

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Tractor Trailers on Slatersville Bridge

Mr. Clifford asked if signs were still posted about large trucks passing over the bridge because he was behind one on his way to this meeting.

Mr. Zwolenski and Mr. Soly were also present at Town Hall on October 2nd when a large truck became stuck on the wall in front of the building.

The Clerk was asked to send a letter to Chief Reynolds asking for information regarding the concerns.

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. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Town Administrator Hamilton and Town Solicitor Igliazzi were also in attendance.

PUBLIC HEARING ZONING ORDINANCE AMENDMENT SECTION 5.7 GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

Mr. Zwolenski noted that the entire Ad Hoc Ordinance Review Committee has not yet had the opportunity to review the ordinance.

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

PUBLIC HEARING ZONING ORDINANCE AMENDMENT SECTION 7.9 USE OF DUMPSTERS

Mr. Zwolenski noted the following amendments:

1.) “Any person, corporation, partnership or any other entity requiring the use of a temporary dumpster shall etc.”

2.) “Exemptions. Land classified by the Town of North Smithfield Tax Assessor as Farm land or Forest land under the State of Rhode Island Farm, Forest and Open Space Act is exempt from Section 7.9 of the

Code of Ordinances.”

Mr. Soly does not like the fee structure or the fines. He feels there does need to be regulations in place regarding setbacks as well as times when the dumpsters can be serviced. He does not like that a person can call for a dumpster but then be fined if it does not meet the town’s standards. Mr. Soly commented that this becomes another fee in addition to building, electrical and plumbing permits.

Mr. Zwolenski noted there have been problems in the past where dumpsters have been left for a lengthy period of time creating an eyesore. He feels there should be some type of penalty.

Mr. Soly feels there is a potential for more illegal dumping.

Although Mrs. Nadeau understands why it is there, she does not like the fee structure. She would prefer to see someone register with the town that they have a dumpster on the property when they apply for a building permit. In addition she would move the time frame so that if it is not moved in thirty days, then the violations begin.

Mr. Boucher feels the ordinance is anti-business to a certain degree and there should be some type of notification before being fined.

Mr. Zwolenski suggested looking into returning to the annual large item trash pickup.

Mr. Paul Soares, a member of the ad hoc committee, said the members spent three or four meetings trying to come to a consensus.

He personally feels the fines are excessive and wouldn't mind if the fees were eliminated.

The following amendment was proposed: "Clean out dumpster permits are valid for 30 days from date of issuance. New construction dumpsters are valid for 180 days from date of issuance. Each permit is renewable once. After a renewal permit has expired, a 90-day waiting period is required before another dumpster permit can be issued."

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MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to amend Section 7.9 of the zoning ordinance as discussed.

MOTION by Mr. Zwolenski, seconded by Mr. Soly, 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 approve Section 7.9 as amended.

PURCHASE OF NEW POLICE DEPARTMENT CANINE

Chief Reynolds submitted a letter requesting authorization to

purchase and train a new K-9 from Rhode Island K9 Academy, Inc. The cost for the purchase and training is \$11,500 and Officer Jay Rainville has secured the full amount in donations.

MOTION by Mr. Zwolenski, seconded by Mr. Soly and Mrs. Nadeau, and voted unanimously on a roll call vote to authorize the Town Administrator to sign the document for purchase.

RENEWAL OF YEARLY LICENSES

MOTION by Mr. Zwolenski, seconded by Mr. Soly and Mr. Boucher, and voted unanimously on a roll call vote to approve the renewal of licenses as presented.

BINGO LICENSE - LAURENT LAVERGNE, COLONIAL VILLAGE

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve the license and waive the fee.

F-1 LIQUOR LICENSES - KNIGHTS OF COLUMBUS

These applications are from the Knights of Columbus as fundraisers for one day only beer and wine licenses to be used at St. Paul's Church on January 16, 2016 and March 5, 2016.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve the licenses.

CONTRACT FOR ENERGY PROJECT CONSULTANT

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

Consultant Julian Dash would like to revise the proposed contract to provide additional financial, deal structure and other professional services related to the analysis of Town-based renewable energy initiatives.

The Council asked for a list of proposed projects considered for the next twelve months as well as a cost/benefit analysis.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on an aye vote to continue this to December 7, 2015.

CONSENT AGENDA

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to remove the payment of bills.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the following: 1.) Town Council minutes of October 5, 19 and 26, 2015; 2.) Budget Committee minutes of September 28, October 12 and 19, 2015; 3.) Animal Control monthly report for October 2015; 4.) NS Municipal Court monthly report for October 2015; 5.) NSPD monthly report for October 2015; and 6.) Resolutions in support of the Quonset Air Museum from cities

of East Providence, Providence and Warwick.

Payment of Bills

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve payment of the following based upon the recommendations of the Town Administrator and the Finance Director: General Fund - \$533,401.73; Sewer - \$7,598.85; Water - \$843.02; School Department - \$1,553,518.58; and Fire Department - \$214,090.00 for a total of \$2,028,164.26.

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PURCHASE OF ROAD SALT

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to purchase road salt from Morton Salt using the State of Rhode Island Master Price Agreement for the amount of \$60.48 per ton.

WAIVER PROCESS FOR ACCESS TO PUBLIC RECORDS REQUESTS

Mr. Soly noted there has been an increase in the number of requests for public records but there does not appear to be any standardized structure of the appeal of fee process. There are too many inconsistencies with multiple departments not following the same process. Mr. Soly feels the fees are being used as a deterrent to open government.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to have Solicitor Iglizzi review the process and that the Rhode Island General Law pertaining to the records request and the appeal process gets posted on the town website.

FULL-TIME ZONING INSPECTOR

Building Official Chris Chianese explained the necessity for a fully staffed building and zoning department. He suggested a professional time study be done to provide an accurate representation of the department needs. Mr. Chianese mentioned the possibility of hiring a full time alternate building official.

Ms. Hamilton would like to meet with Mr. Chianese for a review of the department and then she will provide a report to the Council.

PUBLIC HEARING DATE RE: ROUNDABOUT AT INTERSECTION OF RTES 104 AND 5

Mr. Soly has received numerous calls regarding this since it was first discussed on October 19th. Residents were concerned that a decision would be made without getting their input. Mr. Soly would like to schedule a date for a public hearing.

Mr. Zwolenski recalled that he had questioned the DOT representatives if the town could reject the roundabout and was told yes.

Ms. Alves asked if they could also get the cost for fixing the signal lights at that intersection.

MOTION by Mr. Soly, seconded by Mr. Boucher and Mr. Zwolenski, and voted unanimously on a roll call vote to set a date for a public hearing once the Town Administrator contacts the Department of Transportation for their availability for a Monday evening in January.

SAMPLING RE: LANDFILL & RESOURCE RECOVERY LANDFILL SUPERFUND SITE

The firm of Woodard & Curran will be conducting subsurface investigations related to the L & RR Landfill Superfund site to ensure that the remedy at the site remains protective of human health and the environment. Proposed activities include, but are not limited to, monitoring sampling, surface and subsurface geophysics, boring/monitoring well installations, surveying, wetlands delineation, and collection of surface water, sediment and pore water samples. They are requesting permission from the Town to access portions of properties for the above work.

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to authorize the Town Administrator to sign the document for access to the properties.

MUNICIPALITY INITIATIVE WITH COMMERCE RI

The Municipality Initiative seeks to eliminate the complex burdens on the smallest of businesses when registering with their local municipality. The end goal is to have a single application and a streamlined registration process to open a small business in a municipality. North Smithfield has been chosen to participate in the first round of this initiative.

The cost of the initiative is estimated to be approximately \$3,000. The Lean consultant cost is approximately \$2,500 for 12 hours of consultation and Customer Service training is \$500. The RI Commerce

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Corporation will contribute a total of \$2,000 to the municipality, who is responsible for hiring the Lean consultant and the Customer Service trainer and paying them directly.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to authorize the Town Administrator to enter into a partnership with Rhode Island Commerce Corporation for the Municipality Initiative: Simplifying the Small Business Registration Process.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher and Mrs. Nadeau, and voted unanimously on an aye vote at 9:51 P.M. to extend the meeting to 10:15 P.M.

CHARTER AMENDMENT - TOWN MANAGER/TOWN ADMINISTRATOR

Mr. Boucher reviewed the proposed amendment for a Town Manager noting that changes have been made since it was last voted on in 2010 and he believes the changes make the proposal stronger. The process for hiring has been better identified. The salary will most likely have to increase but there will be a professional in the position.

Mrs. Nadeau commented that the town is almost at the stage of having a manager because the Administrator cannot act on many items without Town Council approval. She doesn't agree with those who say their vote is being taken away because it basically will be the same system.

Mr. Zwolenski will support that the question be placed on the ballot but he feels that politics will still be involved in the process.

Although he may not be in total agreement with the wording, Mr. Soly believes it has been tightened up. One of his concerns was a time gap caused by a vacancy. He agrees it is up to the community to decide.

Concerns were raised as to voter turnout if the question is allowed to be placed on the Presidential Preference Primary.

MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted

unanimously on a roll call vote at 10:15 P.M. to extend the meeting to 10:30 P.M.

SCHOOL AND MUNICIPAL BONDS

Mrs. Nadeau may need two resolutions: one to give the PBIC the authority to establish a draw schedule and the second for them to have the authority to approve schematic drawings from the architect.

MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to authorize the Public Buildings Improvement Commission to approve the draw schedule and to approve the schematic drawings which are already part of the contract with Studio Meja for the town and the school bond work.

STAGE I APPLICATION

MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the Stage I application previously submitted to RIDE as explained as non-binding and non-monetary with authorization for the Town Administrator to have signed the document.

APPOINTMENT REDEVELOPMENT AGENCY

There was no appointment.

APPOINTMENTS TO PARKS AND RECREATION COMMISSION

There were no appointments.

EXECUTIVE SESSION

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on an aye vote to enter into executive session at 10:26 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 litigation.

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on an aye vote to come out of executive session at 10:35 P.M. and to seal the minutes. One motion and vote was taken in regards to potential litigation.

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MOTION by Mr. Soly, seconded by Ms. Alves, and voted unanimously on an aye vote to adjourn at 10:36 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk