

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

FEBRUARY 1, 2016

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, Mrs. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Also in attendance were Town Administrator Hamilton and Town Solicitor Iglizzi.

HOLIDAY SALES LICENSE - DAVI NAILS

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to approve a holiday sales license to Vulong Hoang, operator of Davi Nails.

RESOLUTION RE: TOLLING GANTRIES

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to approve the following resolution and to forward it to all General Assembly members, Governor Raimondo and all Rhode Island municipalities: “WHEREAS, The Governor’s Proposal will add additional financial burdens to families by increasing the already high cost of goods and services in Rhode Island; and WHEREAS, The Governor’s Proposal will place additional burdens on all Rhode Island businesses resulting in more direct/indirect loss of jobs in Rhode Island; and WHEREAS, The Governor’s Proposal will likely be viewed

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nationwide as yet another Rhode Island anti-business/anti-consumer tax; and WHEREAS, The Governor's Proposal ignores other alternative, and substantially more fiscally sound, pay-as-you-go proposals; and WHEREAS, The Governor's Proposal increases our state's already high bonded debt by at least another \$1.3 billion; and WHEREAS, The Governor's Proposal is widely regarded as a "gateway" tax that will eventually lead to the tolling of ALL vehicles. NOW, THEREFORE, BE IT RESOLVED that the North Smithfield Town Council views the Governor's Proposal as an unwarranted encroachment on intrastate commerce and transportation that places additional, significant and unnecessary burdens on Rhode Island businesses and consumers. We strongly encourage all cities and towns of the State of Rhode Island to oppose it and any other similar plans. BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Rhode Island municipalities, Governor Raimondo and to all State Senators and State Representatives requesting support in OPPOSITION to the Governor's Proposed Truck Toll Gantry Plan."

EXECUTIVE SESSION

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to enter into executive session 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. Boucher, and voted unanimously on a roll call vote to come out of executive session at 7:58 P.M. and to seal the minutes. No motions were made and no votes were taken.

E-1 GRINDER PUMPS

MOTION by Mr. Soly, seconded by Ms. Alves, and voted unanimously on a roll call vote to continue this matter to the February 16th meeting.

SIGNAGE DEFICIENCIES IN GREENVILLE ROAD, PROVIDENCE PIKE AND GRANGE ROAD AREAS

John Shevlin of the Pare Corporation submitted a proposal to review existing school zone signage for three schools in the vicinity of the Providence Pike/Greenville Road intersection. In addition to reviewing school zone signage, Pare Corp. will investigate the feasibility of incorporating signage to deter cut-through traffic on Grange Road.

Mr. Shevlin noted that the cost would be \$4,360 plus \$350 per sign including installation.

Mr. Soly suggested that before a commitment was made for this proposal, the town should find out how many signs are missing and for which ones the State would be responsible to pay.

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to have Pare Corporation begin the study and provide a written proposal to the Council for the amount of \$4,360 and to authorize the Town Administrator to sign the document.

SPENDING OF SCHOOL FY 2015 SURPLUS PROCEDURES

Budget Committee Chair Elizabeth Faricy stated the committee is in need of clarification as to what is the proper procedure that the School Committee and the Town must follow in order to expend end-of-year audited declared surpluses before they are spent. Also the Budget Committee requests delaying any decision on the School Committee's request to utilize the FY15 Fund Balance of \$1,574,553 for expenditures until the first concern is resolved.

Mrs. Faricy asked the Town Council to consider requesting a formal hearing before the Commissioner of Education to get clarification on the Budget Committee's concerns.

Another concern was whether any of the expenditures would affect the Maintenance of Effort.

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to support the Budget Committee and
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have the Town Solicitor request a hearing with the Department of

Education for a final clarification of the issues.

SCHOOL COMMITTEE PLAN FOR USE OF SURPLUS

Because of the vote just taken by the Council, School Committee Chair Merredythe Nadeau was unsure how this affects the expenditure possibilities list they have provided. The School Committee has not yet voted on a plan. The vote seems to drag out the process.

It was the understanding of Art Bassett, Vice Chair of the School Committee, that at the last meeting the School Committee was told to come up with a plan. The School Committee has already received an advisory opinion from RIDE. A preliminary plan has been provided to the Council and the committee is looking for feedback.

Finance Director Jason Parmelee noted the finance department has prepared a comprehensive approach to funding both the \$585,000 in the short-term and all the balance of the health and safety in a two and one-half year plan which addresses town funding because ultimately the taxpayer is going to be responsible for funding these projects whether it's through the Maintenance of Effort or not. This plan has both school fund balance use, town operational funding, RIDE 34 percent reimbursement estimates and a portion of a bond issuance which would do every project they need in a two and one-half year plan.

It was decided to schedule a joint meeting with the Town Council, the School Committee, the Budget Committee and the Planning Board.

DONATED TIME FOR PUMPKINFEST

The people who ran the Pumpkinfest this year mistakenly interpreted Town Council minutes of August 6, 2007 to read that the town would donate services in addition to waiving fees for certain licenses and the location of use for the event. Mr. Parmelee has been asked to inquire if the Council would be amenable to including a sum of money in the Grants and Contributions line item to cover the services.

At the suggestion of Mr. Zwolenski, Mr. Parmelee agreed to contact the Finance Director in Woonsocket to see what they may have for funding sources for their Autumnfest event.

UPDATE ON ROAD, MUNICIPAL BUILDINGS AND SCHOOL BONDS

Mrs. Nadeau explained that the Public Buildings Improvement Committee is a little ahead of schedule in regards to the roads. For the municipal buildings, they are at one-half schematic design and are in planning development. For the schools, the PBIC is not getting clear language for a contract with NESDEC, who is the only bidder on school consolidation options.

PBIC REQUESTS FOR PROPOSALS FOR ARCHITECT-SOLICITED SURVEY

This was continued to the meeting of February 16, 2016.

USE OF TOWN VEHICLES

Mr. Boucher stated all town vehicles should have seals on them and are not supposed to be used for personal use per town ordinances.

MOTION by Mr. Soly and seconded by Ms. Alves that the gas usage on the Town Administrator's car be investigated at the time of her trip to Maryland by the Public Works Department and the North Smithfield Police Department. Mr. Soly amended his motion to get the gas usage report from the Finance Department dating from January 1, 2015 to the present. This motion and second were ultimately withdrawn.

MOTION by Mr. Soly, seconded by Ms. Alves, and voted unanimously on a roll call vote to have the Finance Director supply the Town Council with a report of the fuel usage of the Town Administrator's vehicle dating from January 1, 2015 to the present.

MOTION by Mr. Boucher, seconded by Mrs. Nadeau and Mr. Soly, and voted unanimously on an aye vote at 10:07 P.M. to extend the meeting to 10:30 P.M.

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ROLE OF PUBLIC SAFETY COMMISSION

Sean Rousseau, a member of the Public Safety Commission, explained that the board meets at the direction of the Town Council when there is a public safety issue, normally for traffic or signage. It is presently a three-member board and Mr. Rousseau questioned if it could be expanded to add two new members.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to allow the Public Safety Commission to meet to discuss adding two new members.

Chief Reynolds suggested adding a police department member and a fire department member, if amenable to Chief Jillson, who could add their areas of expertise.

AWARD OF BID RE: CATCH BASIN CLEANING TRUCK

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

Ms. Alves recused from this discussion.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to award the bid to New England Trucks, Inc. d/b/a Truck Solutions LLC for \$157,020. Funding will be \$105,000 from FEMA and \$52,020 from the capital review process for Fiscal Year 2017.

RESIGNATION FROM REDEVELOPMENT AGENCY

MOTION by Mr. Boucher, seconded by Mrs. Nadeau and Mr. Zwolenski, and voted 5 to 0 on a roll call vote to accept the resignation of Scott Gibbs and to send him a letter thanking him for his service.

TRAFFIC RELATED ISSUES

These issues were continued to February 16, 2016.

MEMORANDUM OF UNDERSTANDING WITH FIRST STUDENT, INC.

This is an agreement with First Student, Inc. who owns property on both Comstock Road and Railroad Street. They are looking to relocate their non-operational vehicles that are presently held for eventual resale or salvage from its Railroad Street site to the property located at 468 Comstock Road. The Railroad Street property will continue to be used for parking of vehicles that are in active use in First Student's business and will endeavor to maintain the property in such a way that it is both clean and well-groomed. The agreement includes verbiage that the Town will (a) dismiss with prejudice the complaint it filed against First Student alleging zoning violations at the Railroad Street property and (b) file an appropriate dismissal notice or stipulation with respect to the same with the Municipal Court and (c) will not initiate any further prosecution of First Student for the violations alleged in the complaint.

Because Mr. Igliazzi had not reviewed this document that had been drafted by Assistant Town Solicitor Stephen Archambault, MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this to February 16th.

MOTION by Mr. Soly, seconded by Mr. Zwolenski and Ms. Alves, and voted unanimously on an aye vote at 10:32 P.M. to extend the meeting to 10:42 P.M.

OLD TIFFT ROAD BLOCKADE ISSUE

A title search had been done on the property and it was determined that it is not a town road. Mr. Boucher then questioned if it would be a civil matter between the two owners.

Mr. Igliazzi commented there has been an allegation for many years that it is a paper street. Only if the Town Council accepts a street and it is platted would it become the Town's liability.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on an aye vote to entertain comments from the public.

**Steven Bator, owner of the landlocked property with his wife Cheryl, stated this issue has been going on for ten years. No one is asking
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for the Town to accept the road but there are blockage issues. He

has not had access to the property for years because of MCS Enterprises and Holliston Sand, who claim they own the road. For many years the road had been used to access a pond for skating, for dumping and for a shooting range. In addition, a house was built there. Mr. Bator feels that you could only have built a house with a building permit and on an approved street.

Mr. Bator recently discovered that approximately 2.7 acres of trees are now gone from their property. He stated that in 1999 the abutting property owner, Mrs. Spinella, obtained a variance from the Zoning Board to do landscaping. The landscaping is still going on and consists of a crater sixty feet deep and several hundred yards across. Mr. Bator feels the town has been negligent in not policing the area.

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to continue this matter to March 7, 2016 in order to gather more information.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on an aye vote at 10:54 P.M. to extend the meeting to 11:00 P.M.

BLACKSTONE VALLEY WASTEWATER TREATMENT AUTHORITY ACT

Mr. Boucher wants to take this legislation to the General Assembly to get the Public Utilities Commission and the Department of

Environmental Management involved. Currently there is no legal address to control any costs dictated by the City of Woonsocket.

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, Mrs. Nadeau, Mr. Soly and Ms. Alves, and voted unanimously on a roll call vote to send this legislation to our local Senators and Representative for submission to the General Assembly.

MOTION by Mr. Soly, seconded by Mr. Boucher, and voted unanimously on an aye vote to adjourn at 10:56 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk