

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

Approved as Amended 5/23/16

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 9th day of May 2016 A.D. at 7:00 p.m.

Vice President Chabot opened the meeting with the Pledge of Allegiance to the Flag.

**Roll Call: Denise M. deMedeiros – President (Absent) Jay J. Lambert Peter A. Mello
 Joan B. Chabot – Vice President Brett N. Pelletier (Late) David Perry
 Joseph R. Sousa**

Town Administrator, Matthew Wojcik and Town Solicitor Anthony DeSisto were also present.

Item moved up in the agenda.

CLOSED EXECUTIVE SESSION:

1. Town Administrator - Potential Litigation – 42-46-5(a) (2) –FLSA - IAFF

Councilor Lambert motioned at this time to go into Closed Executive Session for item #1 under 5, re: Potential Litigation – 42-46-5(a) (2) –FLSA – IAFF. The motion, seconded by Councilor Perry passed unanimously on a roll call vote excluding Councilor Pelletier who arrived late.

Council entered into Closed Executive Session at approximately 7:03 p.m.

Council returned to Open Session at approximately 7:22 p.m.

OPEN SESSION:

VP Chabot called for a motion to direct the Town Administrator and Legal Counsel to act in accordance with the Council direction in Executive Session.

Councilor Perry motioned to direct the Town Administrator and Legal Counsel to act in accordance with the Council direction in Executive Session. The motion, seconded by Councilor Sousa passed unanimously.

Councilor Pelletier motioned to Seal the Minutes, seconded by Councilor Perry. The motion passed on a vote of 5-1, Councilor Sousa opposed.

Approval of Consent Agenda:

All items listed with “(CA) “are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

VP Chabot read the items on the Consent Agenda. Councilor Lambert requested removal of item number9, Progress Report on Feral Cat Project for a full report to come back in two weeks including a ten minute presentation. Councilor Pelletier requested removal of item CA7, Cystic Fibrosis Cycle for Life Ride.

Councilor Perry motioned to Approve the rest of the Consent Agenda. The motion, seconded by Councilor Sousa passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA

A-1-Approval of Minutes of Previous Meetings:

- a. Approval of Regular Council Meeting Minutes of April 25, 2016
- b. Approval of Executive Session Minutes Council Meeting April 25, 2016

A-2-Receipt of Minutes from the Following Boards, Commissions:

- a. Zoning Board of Review (2)

A-3-Correspondence – Receive and File:

- a. East Greenwich Town Council Resolution Opposing S2263 and H8080 Relating to Elections and School Closings
- b. Smithfield School Department Resolution Support of H 7243 and S2761 Opposing Non-Law Enforcement to Carry Concealed Firearms on School Grounds – Referred to School Department

A-4-Town Treasurer Denise Saurette – Mar.31st Quarterly Report to Municipal Finance and Auditor General

A-5-Town Administrator – Police and Fire Department Overtime Reports

A-6-Town Administrator – Monthly Department Reports for April

A-8-Scheduling of Public Hearing on May 23rd to Amend Ordinance Chapter 54-36, Article II – Recreation Regarding Recreation Equipment Rental Businesses

BUSINESS BROUGHT BEFORE THE COUNCIL

A-7-Philomena Santos-Higgins, Development Director Cystic Fibrosis Foundation – Request Council Authorization for 62 and 25 Mile Cycle for Life RI Ride on Saturday, September 17, 2016 to Start and Finish at Westport Rivers Vineyards

Councilor Pelletier, for those interested, this is a 62 and a 23 mile bike event on Saturday, September 17 starting and finishing at Westport River Vineyards. For more information contact Philomena Santos-Higgins at 401-662-1925.

Councilor Pelletier motioned to Receive and File and Grant Authorization for 62 and 25 Mile Cycle for Life RI Ride on Saturday, September 17, 2016 to Start and Finish at Westport Rivers Vineyards. The motion, seconded by Councilor Perry passed unanimously.

A-9-Progress Report on Feral Cat Project

Councilor Lambert explained this was a rather substantial grant, received a request from Gil Fletcher and Barbara Pelletier to have an opportunity to present the project report to the Council which may encourage more volunteer participation. As previously indicated this report would be on the next agenda, May 23.

Councilor Perry so moved, seconded by Councilor Lambert passed unanimously.

B-PUBLIC HEARINGS:

1. Public Hearing Regarding RIDEM Recreation Grant Application – Grinnell’s Beach and Seaside Gas Station Property a.Approval for Submission of Grant Application

Trish Hilton, Chair of the Grinnell’s Beach Improvement Committee (the Committee) and Brian Janes, Co-Chair of the Tiverton Open Space Commission appeared before the Council on the RIDEM Grant application as prepared; the concept plan was discussed in early March, received Council approval to go forward. Part of the requirement of the Grant Application is a public hearing to provide an opportunity for the public to speak. VP Chabot noted correspondence has been received. For the record the Vice President Chabot read a list of names in support with one person opposed. Councilor Pelletier has received 8-10 additional emails; will forward to the Clerk, all in

support. Before the public hearing was opened to the public Ms. Hilton requested questions from the Council. Councilor Sousa questioned if testing was done on the site was aware the tank was taken out; questioned if core samples were taken or if there were toxic materials. Administrator Wojcik could get a report from Bob Hoffman; numerous tests were done when the gas tanks were removed; the floor pit was not a concern. The septic system was inspected. Councilor Sousa was assuming when the building is taken down the asphalt will be pulled up; did not want any surprises. Administrator Wojcik explained nothing will be done until all the necessary items are investigated. The intent is to replace the asphalt surface with something more permanent, all will be remediated. The crumbling apron will be replaced with piles of stones that have material to stabilize. The septic system is a seepage pit, appears from the final as built drawings there were seepage galleys and those will be inspected separately; either it will be closed in place or removed as required by DEM and CRMC. The fuel tanks were removed by Hoffman Engineering, the necessary certification was received and is on file; remediated at that time.

Ms. Hilton explained there were no plans for any excavation other than to remove the cement and crumbling asphalt. Councilor Perry requested an explanation of the in kind services seen on page 3; getting calls from people who thought it was not going to cost the Town. Ms. Hilton explained, as said to the Council before, not looking for the Town to self-fund; for the \$491,000 looking to get grant money to pay. So far have received 2 grants, applying for the third with this DEM grant. Very rare to find a grant of this size to find the grantee provide some kind of match; DEM understands towns have do not have that kind of cash. For this \$400k grant the Town match would be \$100,000. DEM allows for the town to include as part of the grant the donation of gifts or materials or services from outside or third parties. Volunteer time worked on the project is allowed to be included and allow the municipality to include, for lack of a better term, sweat equity. If the Town is willing to or can find ways to do some of the work this can be included as part of the match. For example if the DPW worked on the project moving parking curbs that labor could be part of the match. If the Town Planner working on the CRMC permit or Building Official is inspecting the work or the Town Administrator spent time on the project that can all count to the match. A big part of this requires project management and coordination, represents the Town's equity and shows the good faith and commitment to this project.

Mr. Janes explained they would continue to look for additional grant opportunities. If the abutment goes forward that may be able to be included as part of this grant, some things may shift going forward. Ms. Hilton opined if the Town was willing to put some skin in the game that makes a difference, the application looks more competitive for this half million dollar project; shows the Town's commitment. This is not just coming from one group as the community owns the property. Councilor Pelletier commented, not only are these things beautifying the beach they will also benefit the public.

VP Chabot opened the public hearing to comments from the public. Sally Black, Broadview Drive, thanked Ms. Hilton and everyone, knows how hard it is to get grant money. The view from the beach is breathtaking, many people ask about the gas station and why it's there, this is an amazing opportunity. Barbara Martin, Neck Road, thanked the Committee for a fabulous job, the plan is spectacular, saw photos of the canopy and the open view; is an enhancement of natural resources, was in favor. Denise Saurette, South Avenue, noted it was typical for this type of grant for in-kind services; cited Bulgarmarsh Park where all the in-kind calculations had to be included as part of the grant. Susan Gill, Main Road, voiced overwhelmingly support for this project, singled out Ms. Hilton and Mr. Janes for yeoman's work. Stu Hardy, Summerfield Lane, thanked the Committee for the tremendous work, cited the Comprehensive Community Plan that specifically calls for getting rid of the gas station and improving the whole beach area. The plan is good for the environment, esthetically pleasing, enthusiastically endorsed. Liz Colbert supported the concept plan and volunteered to help; agreed with the building coming down especially since there is graffiti on it. Ron Marsh, Four Rod Way, commended the Committee, hope it goes through. Carol Herrmann, Main Road, voiced support, was part of the design charrettes, would be a joy to have a beautiful beach front. Dave Stewart, Highland Road, Vice-Chair of the Harbor Commission, was fond of the waterfront, cited Ms. Hilton and Mr. Janes for a fantastic plan. Claire Chappel, Nanaquaket Road, supported the concept. Rosemary Eva, Main Road, supports the concept presented if the grant goes through. Carol Guimond, read parts of a quote,

on enhancing a panoramic view. Gayle Lawrence, Long Pasture Way, applauded the Committee, attended the charrettes, noted the overwhelmingly support and responsiveness, thanked the Committee for the hard work. Roger Belanger, Stafford Road, was wholeheartedly in favor. Jennifer Jones Rashleigh, Highland Road, commended the Committee, was happy the Town has protected so many land spaces and the beach. Tom Colbert, Nanaquaket Road, thanked the Committee for the design, would like to see that nice open space at the beach area. Town Administrator Matthew Wojcik thanked Ms. Hilton and Mr. Janes for all the hard work on the grant application itself which compares the Town's proposal to the State's open space plan. This entire plan will move the Town forward, giving more control of the asset, thanked the volunteers; is a testimony to their efforts. VP Chabot called for comments from the public three more times, hearing none close the Public Hearing.

VP Chabot noted the magnificent job, really do appreciate their efforts; hopeful it will be granted, if not will keep trying, great work here. Councilor Sousa agreed with the majority of the project, biggest concern was trying to push the fishermen off the beach. Other than that taking the building down and developing that area is a great idea. Councilor Pelletier would be happy to see it come down; for the first time would have an unobstructed view. Councilor Pelletier thanked them and the rest of the Committee: Dave Stewart, Melissa Hutchinson, Peter Moniz, Town Planner Marc Rousseau, the Town Administrator, Councilor Lambert, Susan Gill and Bruce Cox who suggested the idea of an ad hoc committee. Thanked them all very much and Mr. Janes for stepping up; going to be a legacy project for the Town for decades. VP Chabot noted there was no objection from the Historic Preservation Advisory Board. Solicitor DeSisto requested the motion include the first word Resolve as this is going to the DEM and the Town Clerk can send to DEM as a Resolution.

Councilor *Lambert* moved the Town Council approve a Resolution to Forward the Grant Application for the Grinnells' Beach and Seaside Gas Station Property as more fully set forth in Exhibit B1a. The motion, seconded by Councilor Perry passed on a vote of 5-1, Councilor Sousa opposed.

VP Chabot thanked them very much, a round of applause followed.

C-TOWN COUNCIL SITTING AS BOARD OF LICENSING:

NON ADVERTISED LICENSE

1. Kayla Couto d/b/a Salt Cycle Studio, 315 Main Road – Request Holiday License Subject to Meeting All Legal Requirements

Ms. Couto explained this was an indoor cycling studio, looking to open this summer. Would like to be open on some of the holidays; it is an intense 45 minute workout, located next to Dance Fusion and Allied Floor Covering.

Councilor Pelletier motioned to Grant a Holiday License, subject to meeting all legal requirements to Kayla Couto d/b/a Salt Cycle Studio, 315 Main Road. The motion, seconded by Councilor P. Mello passed unanimously.

D-APPOINTMENTS & RESIGNATIONS:

Appointments

1. Arts Council – Vacancy - Three Year Term Expiring 4/15/2019

Christopher Gerlica, 263 S. Christopher Ave – Request New Appointment

Mr. Gerlica wanted to get more involved with the community, big proponent of the arts.

Councilor Perry motioned to Appoint Christopher Gerlica, 263 S. Christopher Ave., to the Arts Council for a Three Year Term to 4/15/2019. The motion, seconded by Councilor Sousa passed unanimously.

2. Recycling/Landfill Committee – Two Year Term to 4/15/2018

Jeffrey M. Belli, 2 Birch Street – Request Re-Appointment

Mr. Belli, seeking reappointment, noted a lot of progress has been made to move the recycling center and to get the landfill closed.

Councilor Perry motioned to Approve the Reappointment of Jeffrey M. Belli, 2 Birch Street to the Recycling/Landfill Committee for a two year term to 4/15/2018. The motion, seconded by Councilor Sousa passed unanimously.

E-UNFINISHED BUSINESS:

There were no items for this topic on the agenda.

F-FINANCIAL BUSINESS:

1. Fire Department Chief Robert Lloyd – Request Approval of Transfers as Listed:

a. \$4,800 From Acct#3310-6910 (Heat) to Acct#3310-6935 (Telephones)

b. \$2,800 From Acct#3310-7611 (Fuel, Oil & Tires) to Acct#3310-6310 (Recruit Process)

c. \$4,300 From Acct#3310-5168 (Clothing Allowance) to Acct#3310-5110 (Educational Allowance)

Chief Lloyd explained had increases including telephones was subject to cuts from last year's budget. Have seen savings from using the new electronic fuel system. The recruit process is not only for new hires, also has to do with the promotional process. One person finished paramedic school; contractually have to pay them.

Councilor Perry motioned to Approve the Transfer of \$4,800 From Acct#3310-6910 (Heat) to Acct#3310-6935 (Telephones). The motion, seconded by Councilor Sousa passed unanimously.

Councilor Perry motioned to Approve the Transfer of \$2,800 From Acct#3310-7611 (Fuel, Oil & Tires) to Acct#3310-6310 (Recruit Process). The motion, seconded by Councilor Sousa passed unanimously.

Councilor Perry motioned to Approve the Transfer of \$4,300 From Acct#3310-5168 (Clothing Allowance) to Acct#3310-5110 (Educational Allowance). The motion, seconded by Councilor Sousa passed unanimously.

G-NEW BUSINESS:

1. Susan Anderson, Chair Historical Preservation Advisory Board – Proposal of Stone Wall Ordinance

Ms. Anderson explained the Comp Plan identifies stone walls as significant contributors to the Town's rural and scenic character. Ten of RI's towns have a Historic Stone Wall ordinance, several other communities are considering. This proposed ordinance uses the definition from State Law. Stone walls enhance the rural character, benefit soil erosion and protect wetlands. Ms. Anderson cited RI General Laws 34-10 where there are some protections for boundaries. Owners will be able to cut for driveways, easements, etc. Councilor Lambert supported the concept; was concerned with the wording in the first section, Purpose, and under the General Provisions section. According to the second paragraph in the Purpose section, the provisions of this Chapter shall apply to stone walls abutting Town and State roads and public ways within the Town. The General Provisions are much broader, suggested meeting with the Solicitor and Ms. Anderson to discuss some of those concerns. Some parts are inconsistent; subsection d is inconsistent with the second paragraph under Purpose.

Solicitor DeSisto noted Councilor Lambert was correct, has drafted a similar ordinance for other communities. Ms. Anderson affirmed this ordinance was based on the one from Smithfield. Solicitor DeSisto pointed out this proposed ordinance specifies two different types of stone walls, boundary markers and flanking roads. There are others that might not fit the definition like those in agricultural fields. Agreed with Councilor Lambert, the definition and general provisions sections have to line up. Solicitor DeSisto can provide a copy of the Lincoln ordinance as well. Another point to consider, disagreed with the Thorson grouping about 20th century walls that might be 15 years old,

have to do more research. Councilor Lambert had another issue with the mandatory fine from \$100 to 500 for each offense for each day. Suggested changing that to “may” be fined for each month with notice from the Building Inspector. Councilor Lambert wanted to see this redrafted by the Solicitor and incorporate the paragraphs that were inconsistent under limitations and purpose and to modify the penalty provisions. Councilor Perry questioned if a developer were to go in the Industrial Park then those walls would have to stay. Ms. Anderson noted under General Provisions that alterations or demolitions as part of any subdivision would be up to the Planning Board. VP Chabot questioned if this would apply retro or going into the future. Councilor Pelletier noted some very specific provisions for each event, did not see anything that could apply to a regular repair; needs to be clearer. Solicitor DeSisto noted repair language would have to be added to the existing ordinance. Councilor Sousa, in general, had a problem with having more restrictions on property owners and did not see a need for this ordinance. Ms. Anderson said this was to stop outside people from destroying the town. Solicitor DeSisto suggested referring this to him will contact Ms. Anderson and do more research. VP Chabot was concerned this could be putting a financial hardship on residents. Councilor Pelletier noted this proposed ordinance speaks zero to maintenance, nothing for repair, only if removing, altering or restoring.

Councilor Perry motioned, seconded by Councilor Pelletier to forward this to the Solicitor for review, modification and clarification for the next meeting. Some discussion followed as the next agenda for the May 23 Council meeting is already crowded. Solicitor DeSisto then suggested it should be for the June 13 meeting. Councilor Perry then motioned to forward this to the Solicitor for review, modification and clarification for the June 13 Council meeting. This motion, seconded by Councilor P. Mello passed on a vote of 5-1, Councilor Sousa opposed.

2. Councilor Perry – Requested Updates

a.General Auto Relative to Tank

Administrator Wojcik distributed copies of a report from Deidre Paiva, Steere Engineering, some of which was discussed at the prior meeting. The owner mentioned an underground tank during the Show Cause hearing, pulled the tank out of the ground without all the necessary permits. The Town had significant presence including Councilor Perry, Administrator Wojcik, Ms. Paiva, and Mr. Hall. The Town went to Court and received a Consent Order that no further disturbance or testing occurs. Ms. Paiva explained the owner; Chris Petropoulos complied with the order, contacted Mr. Hoffman regarding the soil sampling which was split with GZA, the engineer for Mr. Petropoulos. The samples were taken from the bottom of the tank area in the middle and at both ends. Waiting for the report which is due this Thursday; Mr. Hoffman screened the samples for preliminary results, non-detectable for organic compounds and petroleum hydrocarbons. Ms. Pavia opined it probably was just used for septic waste. There was also a sample of groundwater taken from that area. Councilor Sousa questioned the Administrator as to what permits were required from the Town. T/A Wojcik explained none from the Town, just DEM; there are ordinances in the Town for storage of septic, removal of the tank also has to occur under RIDEM. Councilor Sousa wanted to know what it cost the Town to do these test; T/A Wojcik did not have that information yet but will provide; made clear that when something involves the safety and welfare of the residents the Town will pursue all options under the law for the safety of the Town. Councilor Sousa opined the Town did not have enforcement authority; it’s a DEM issue. Solicitor DeSisto explained the DEM does have jurisdiction as it relates to hazardous materials, however septage waste is covered by Town ordinance. The point of the tank was raised by Councilor Perry at a meeting; this type of a tank is strictly prohibited under Town ordinances. Councilor Sousa has objected all along. Ms. Paiva explained the tank was not registered with DEM so they will not take jurisdiction.

b.Fire Department Overtime Relative to Fair Labor Standards Act Compliance

Administrator Wojcik explained overtime reached the point that it exceeded the contract and will now be paid under the Fair Labor Standards Act (FLSA). Under the agreement with the union after a certain threshold is met then the FLSA sets in. All time off requests are net out so overtime is only paid for hours actually worked; it’s a 28 day look

back period. Chief Lloyd explained at this time for the month of April with everything taken out overtime is around \$5121. Last year it was running about \$30k per month.

3. Town Administrator – Request to Advertise for Bids for the Supply and Installation of Various Guardrail Items, to be Used on an “As Needed” Basis

Administrator Wojcik explained this is the annual request; only get this on as needed basis.

Councilor Pelletier motioned to Approve the request to Advertise for Bids for the Supply and Installation of Various Guardrail Items, to be Used on an “As Needed” Basis. The motion was seconded by Councilor Pelletier, Councilor Sousa questioned if there was any on hand. Administrator Wojcik explained this was to have a supplier at a bid price; in the past have transferred out of this account. The motion passed unanimously.

4. Town Administrator - Request Approval of PARE Contract Addendum to Relocate the Recycling Center and to Fund the Engineering Work for \$34,000

Administrator Wojcik explained at the last Landfill/Recycling meeting PARE submitted a presentation for the Recycling Center relocation. The current one is at the base of the landfill; need to move it within the next year. PARE estimated \$34k for the engineering; DPW Director Berlucchi recommended taking that out of the Landfill Closure account. Administrator Wojcik agreed with the one dissenting opinion from the Recycling Committee; was not in favor of having this so close to the recreation area; requested having more time to look at alternate locations as this location has water runoff. Councilor Sousa, one of the Council liaisons to the committee, has been looking at different areas. The problem with having it somewhere else means more staff; by having it in this location will be using the same staff. Councilor Sousa opined this was over engineered, could be simplified and use road grade instead of paving a road. Councilor Lambert noted the committee was also concerned about neighbors. Councilor Pelletier questioned what the Town was getting for the \$34k. T/A Wojcik explained this would identify wetlands, flag buffers, do core sampling, engineer grades and do preliminary site elevation water table tests. Steve Rys, Chair of the Landfill Committee noted the committee chose this location to avoid the wetlands which is why all this engineering is needed. T/A visited Westport and Little Compton, got some good ideas, would like to talk to Mr. Rys a little more. Richard Hart, committee member, noted it was indicated that the Town wouldn't need a DEM permit if it was under an acre, should determine how much area is needed. T/A Wojcik had two specific areas to pursue. Ms. Hilton, Conservation Commission Chair, noted as part of the development of remediation for Nonquit Pond, DEM has engaged consultants from Atlantic States Rural Water test to source a potential document. Contacted by DEM who would like to come down and do water testing and Stormwater runoff; may want to keep that in mind.

VP Chabot summarized, either the Council agrees on the \$34k or delays for one month giving the Town Administrator an opportunity to evaluate other options. Councilor Sousa motioned to approve the request, there was no second for this motion. Councilor Lambert suggested waiting for one month to give the T/A more time. Councilor P. Mello agreed, suggested an area near the DPW or in the Industrial Park. Councilor Perry agreed with Councilor Pelletier, suggested having this come back in 14 days instead of 30. VP Chabot noted the May 23 agenda already had several items, was getting full. Administrator Wojcik was also looking at private property, wanted to discuss it with the owners.

Councilor Pelletier motioned to Table this until June 13 waiting for Town Administrator Wojcik to have a definite recommendation. The motion, seconded by Councilor Perry passed on a vote of 5-1, Councilor Sousa opposed.

5. Treasurer Denise Saurette - Approval of Resolution to Refinance the Series 2008 (Fort Barton School) General Obligation Bond Dated August 7, 2008

Treasurer Saurette explained this was the same type of resolution that was adopted in October when the High School bond was refinanced. Ran the numbers for this last week, the net present value savings of \$600k over the

life of the bond. The refinancing of the last bond was more generous, expired December 31 of last year; affirmed the savings come to \$20-25k per year.

Councilor Pelletier motioned to Approve /Authorize the Resolution to Refinance the Series 2008 (Fort Barton School) General Obligation Bond Dated August 7, 2008. The motion, seconded by Councilor Perry passed unanimously.

6. Town Administrator – Authorization to Advertise for DPW Director

Administrator Wojcik attached a job description and advertising to the request, will be using the same format as the Police and Fire by posting on EmployerApp.com. The applicant pays \$16 which weeds out candidates. Still have hard copy applications than can be mailed to the PO Box for the Personnel Board. The job description had a few changes from the last recruitment; must be fully qualified for emergencies and as far as licensing to require a professional engineer, can take up to 6 months for a waiver if qualified in another state. By Charter have to advertise in two newspapers; did review with the Personnel Board. Councilor Perry questioned Experience, a minimum of 5 years of public works required; suggested changing to preferred instead of required. T/A Wojcik noted under Experience it states five years of public works or public works related experience, preferred casts a wider net. Councilor Pelletier was concerned with the wording, Bachelor of Science in Civil Engineering or a related Engineering field is required, may be eliminating some otherwise qualified candidates; someone could have a degree in Construction Management. Ms. Paiva noted you can't have a Professional Engineering degree without a background and from an accredited school. Councilor P. Mello questioned who would be in charge of the DPW in the meantime. T/A Wojcik explained the Working Foreman is in charge along with the Administrator. Chief Blakey will also work with the department.

Councilor Pelletier motioned to Approve the Advertising for the DPW Director with Councilor Perry's modifications. The motion, seconded by Councilor Perry passed unanimously.

7. Town Administrator – Authorization to Advertise for Planning Department Assistant

Administrator Wojcik explained the Planner Department Assistant exists within the Collective Bargaining Agreement in AFSCME. Town Planner Marc Rousseau has been doing the clerical work for three months, have several projects in the pipeline at the Industrial Park like Bluesphere. A lot of things can be assigned to the duties, have a subdivision list for 10 years a lot of them need to be completed. Easements, documents, decisions, compliance, plans that need to be recorded, some started 8 years ago. Mr. Rousseau used the example of Tiverton Heights which involves public notice, sending full applications to federal and state agencies, doing the checklist, compliance and a number of other administrative duties. T/A Wojcik was troubled that this was not included in the Budget Committee budget, have a professional planner who needs help. This is a union position, they define the job descriptions. This is not funded under the current budget, have moved funds to pay for the Planner; do not expect this to be filled this fiscal year. T/A Wojcik opined, still have to live within the budget, fundamental management right to reduce staff to meet the budget. There is a tremendous amount of work for this department. Councilor Sousa opined need to do more with the staff that's here, will not vote to fill this position. Councilor Lambert noted a substantial increase in the amount of development activity. Councilor Perry agreed, so many projects in Town, should move forward with this. Councilor Pelletier agreed with Councilor Perry this would pay dividends, need to do this, wholeheartedly support this. VP Chabot questioned the Town Clerk about providing assistance with posting the agenda. The Town Clerk could help but does not set that agenda would have to come from Mr. Rousseau. Councilor Pelletier noted this was an area where the Council could affect change.

Councilor Pelletier motioned to Authorize the Town Administrator to Advertise for Planning Department Assistant subject to G7. The motion failed on a vote of 3-3, Councilors Perry, Lambert and Pelletier in favor, Councilors Sousa, P. Mello and Chabot opposed.

8. Town Administrator – Authorization to Advertise for Recreation Summer Employment

Administrator Wojcik explained the new Chair of the Recreation Commission was John Cordeiro, that committee is looking to fill as many positions. Thanked the Town Clerk for one suggestion, putting “Positions will remain open until filled” instead of a deadline date. Councilor Pelletier suggested standardizing all the fonts throughout the descriptions.

Councilor Pelletier motioned to Authorize the Town Administrator to Advertise for Recreation Summer Employment subject to the modified date. The motion, seconded by Councilor Lambert passed unanimously.

H-BIDS AND REQUESTS FOR PROPOSALS:

There were no agenda items for this topic.

H-1-OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS:

Sally Black, School Committee Chair, thanked everyone, including Councilor Sousa for voting for the school bond resolution to be sent to the State. Senator Felag and Representative Edwards were looking for the legalized form; advised by the Town Treasurer it was all set. Administrator Wojcik reached out to Bond Counsel today should be done in two days.

I-TOWN ADMINISTRATOR ANNOUNCEMENTS:

1. Tax bills may go out late if there is a runoff, instead of mailing June 10 would be June 20.
2. Statewide Planning is having a public hearing on the Transportation Improvement Projects includes the Stone Bridge abutment and the Roundabout at Canning Boulevard. T/A Wojcik plans to attend one of the two hearings on May 26; one is at 2pm, the other one at 6:30 pm. It will be held in the Powers Building, Capitol Hill Conference Room A, 2nd floor, Department of Administration.
3. Addressed an issue from the Financial Town Hearing, various budget proposals were discussed at length. Last year got into a heated debate about that budget, need to do things differently. Respect all the people who participated in the budget debate; opined the Budget document was the single most important policy document the voters could make. T/A Wojcik spent a lot of time preparing the budget and related backup documentation. The people need to understand what the options are for the Town in any given scenario without being perceived as a threat or political posturing. Administrator Wojcik plans to find a date early next week to give a story of the Town and all the different aspects of the budget. At the end of the day it's the people are the boss, they vote on it; will make as many announcements as possible.

J-COUNCIL ANNOUNCEMENTS:

Councilor Perry will be putting item G7, Authorization to Advertise for Planning Department Assistant back on the next agenda. Councilor Sousa noted the Lieutenant Governor was working on legislation for regional dispatchers.

K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:

There were no Solicitor items for this agenda.

L-TOWN CLERK ITEMS AND ANNOUNCEMENTS:

Town Clerk Mello reminded the Financial Town Referendum (FTR) will be on Saturday, May 21 at the High School, voting will be from 7:00 am to 8:00 pm. There will also be Absentee voting at the Town Hall on Thursday, May 19 and Friday, May 20 from 7:00 am to 8:00 pm. currently have Emergency voting where people can come and vote at the Town Hall. The Town Clerk encourages everyone to get out and vote.

CLOSED EXECUTIVE SESSION:

4. Town Administrator – Litigation – 42-46-5(a) (2) – General Auto Recycling, Inc.

Solicitor DeSisto noted there was no need to go into Executive Session for this time as it was discussed earlier.

2. Town Administrator – Potential Litigation – 42-46-5(a) (2) - AFSCME

3. Town Administrator – Collective Bargaining – 42-46-5(a) (2) - Teamsters

5. Town Administrator – Potential Litigation – 42-46-5(a) (2) – Plantation Drive Sewer Issue

Councilor Lambert motioned to go into Closed Executive Session pursuant to 42-46-5(a) (2) re: Potential Litigation- AFSCME. The motion, seconded by Councilor Pelletier passed unanimously on a roll call vote.

Councilor Lambert motioned to go into Closed Executive Session pursuant to 42-46-5(a) (2) re: Collective Bargaining - Teamsters. The motion, seconded by Councilor Pelletier passed unanimously on a roll call vote.

Councilor Lambert motioned to go into Closed Executive Session pursuant to 42-46-5(a) (2) re: Potential Litigation- Plantation Drive Sewer Issue. The motion, seconded by Councilor Pelletier passed unanimously on a roll call vote.

The Council entered into Executive Session at approximately 10:15 p.m.

The Council returned to Open Session at approximately 10:30 p.m.

OPEN SESSION:

In Open Session Vice President Chabot announced no formal action had been taken.

Councilor Lambert motioned to seal the minutes of Closed Executive Session. The motion, seconded by Councilor Perry passed unanimously.

ADJOURNMENT:

Councilor Lambert motioned to adjourn, seconded by Councilor Perry. Motion passed unanimously.

Council adjourned at 10:35 p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk