

A regular meeting of the Town Council held for the Town of Scituate on Thursday, January 13, 2005 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:32 PM. Council President Richard presiding.

After pledging allegiance to the flag of our country, Town Clerk Long called the roll. Roll call vote as follows:

Councilman Salisbury --present	Councilman Farrar -- present
Councilman Marchant -- absent	Councilman Winfield--present
Councilman Marcello -- present	Council Vice-President Budway --present
Council President Richard -- present	

Motion made Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to elect Theodore J. Richard as Town Council President.

Motion made by Council President Richard, seconded by Councilman Winfield and voted by consent agreement to elect Robert Budway Town Council Vice-President.

At this time members of the SADD (Students Against Destructive Decisions) gave the Council a brief overview of their group. Kim Birrell and Erica McCormick, the parent leaders spoke about the program. They explained to the Town Council that this is a new group that was formed in the High School this year. The group advocates no violence, drinking, drugs and bullying. At this time they have a meeting once a week. There are currently approximately 28 students that attend the weekly meetings. They recently competed in a "mock tail" at Metropolitan Insurance Company. They had to adopt a young girl that died in a car accident, her name was Denise Allen. They had to research her life and decorate a table with her favorite things. They also had to create a non alcoholic cocktail in her memory. They placed second in this competition.

Council President Richard presented a proclamation from the Town Council. He asked the members present to stand up and be recognized by the Council. In attendance this evening was Rachel Flori, Dedra McCormick, Amanda Beattie, Melissa Bryant, Kelsey Birrell and Mary Marzano. Town Council Richard thanked the members and the parent advisers for attending tonight's meeting and congratulated them for their accomplishment.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to approve the December 9, 2004 Town Council minutes.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to table the approval of the minutes of the Closed Session of November 10, 2004.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to approve the abatements of \$366.06 and addition of \$1314.62.

During departmental reports, Town Clerk Long reminded the Council about the League of Cities and Towns Annual Convention and Dinner to be held on January 27, 2005. She also told them about the upcoming budget hearings.

David Provonsil mentioned that he has an update on the top ten zoning violations in Town and would like to review them with Councilman Marcello at his convenience.

Councilman Winfield asked Chief Mack about the telemarketing fundraiser.

Chief Mack stated that the IBPO and the FOP are currently conducting a fundraiser with a telemarketing company. He said that it has nothing to do with the Police Department only the Police Union.

Gail Chatfield stated that she received a call from the telemarketing firm and that they were very aggressive and misleading. She stated that if she didn't know better she would think that the money was going to the Police Department.

Chief Mack said that he is disappointed that the telemarketers are so aggressive and that the Union is entitled to do this by State Law.

Council President Richard suggested that the Chief Mack called Vincent Ragosta, Esq. and see if there is any legal action that can be brought to make the telemarketing company be less aggressive and misleading.

Town Treasurer Przybyla informed the Town Council that C. Jean Simpson, Deputy Town Treasurer, will be retiring at the end of January. He also mentioned that he recently held the first meeting of the Police Pension Study Committee, and he would like to have the Council approved the expenditure of approximately \$3,500 to have an actuarial study done to see the monetary ramification of joining the Municipal Retirement System.

Richard Tucker, Director of Emergency Services, informed the Council that the dedication of the new trucks for Chopmist Hill and North Scituate will be held on February 20, 2005.

Council Vice-President Budway asked Mr. Tucker when the Fire Engineering Board meets.

Mr. Tucker told Council Vice-President Budway that the Fire Engineering Board meets the 4<sup>th</sup> Monday of each month.

Judy Loven, Director of Senior Services, told the Council that there has been an increase in the amount of people attending the meal site. She stated that on a bad day she has at least 35 people in attendance. She also said that she sent out a questionnaire to try to determine what kind of services and activities that the seniors want.

Motion made by Councilman Salisbury, seconded by Council Vice President Budway and voted by consent agreement to place and file all departmental reports.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to approve the Town Council schedule.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to approve the joint pole location on Trimtown Road, William Henry Road and Hope Furnace Road pending Richard Iverson's approval.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to approve the Sunday Sales Licenses for Village Charm, 159 Danielson Pike, and Blanchard's Farm, 255 West Greenville Road.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to approve the Private Investigator's Licenses for Thomas Winchell and David Mink for a term expiring December 2005.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint the General Town Officers for a term expiring January 2006. (list herewith) Councilman Farrar rescued himself.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint Donald A. McCall, Albert Langlais and Richard A. Mumford to the Minimum Housing Board of Review for a term expiring January 2006.

Motion made by Councilman Salisbury, seconded by Councilman Winfield to re-appoint the Police Constables for a term expiring January 2006. (list herewith)

Motion made Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint Erik Wieselquist, Silk Lane, Scituate to be a member of the Housing Authority for a term expiring January 2010.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint William Jasparo to the Plan Commission for a term expiring January 2010.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint David L. Hanna, Jr. and Jeremiah Allen to be alternate members of the Plan Commission for a term expiring January 2006.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint Richard Pincince and Christopher Mason to the Wastewater Management Citizen's Advisory Group for a term expiring January 2006.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint John Winfield and Robert Budway to the Incentive Committee for a term expiring January 2006.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to re-appoint Donna Faria to the Scituate Recreation Committee for a term expiring January 2008.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway to re-appoint Dianne Medbury to the Zoning Board of Review for a term expiring January 2010. Councilman Winfield recused himself.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway and voted by consent agreement to appoint Thomas Stones and Steven Gaddes as alternate members of the Zoning Board of Review for a term expiring January 2006. Councilman Winfield rescued himself.

Motion made by Councilman Salisbury, seconded by Councilman Winfield to reappoint Steven Iadevaia and Paul Durfee as members of the Building Board of Review for a term expiring January 2010.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to appoint the Budget Committee for a term expiring January 2006. (list herewith).

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to confirm the Town Clerk's re-appointment of Gail Chatfield as Deputy Town Clerk for a term expiring January 2006.

Town Clerk Long wanted to inform the Town Council what an integral part her office Ms. Chatfield is. She explained that Gail goes above and beyond in her duty to the residents of Scituate. Town Clerk Long stated that she is very fortunate to have such a helpful, dedicated, knowledgeable and nice person to serve as her Deputy Town Clerk.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to confirm the Town Treasurer's re-appointment of C. Jean Simpson as Deputy Town Treasurer for a term expiring January 2006.

During audience Participation Mr. & Mrs. Thomas Cancelliere of 67 Dexter Road addressed the Town Council. They told the Council that their neighbors, Northwest Power, located at the old Dexter Oil property are violating the zoning ordinances. They said they are conducting business on Sundays including cutting wood and selling it. They have outside storage and they are destroying wetlands. They said that the relationship has really deteriorated.

David Provonsil said he is working with the property owners and hoping to have a resolution soon. He stated that they have been tenants for a few years but they recently bought the property. Mr. Provonsil said he has addressed a few of the Cancelliere's concerns but he still needs to address others. He stated that he has visited the property three times and he will visit them again to see if he can resolve these problems.

Mr. Cancelliere stated that they service ATV's on the property and they also ride the unregistered ATV's up and down the road.

Councilman Marcello asked Mr. Provonsil if he has issued any citations on that property.

Mr. Provonsil said that he has not, but if the problems can't be resolved he will.

Council President Richard asked Mr. Provonsil to investigate the matter and report back to the Council at the next meeting.

Tim McCormick of 428 Trimtown Road, said that he is very pleased that the school project is heading forward towards a vote. He realizes it has been a lot of hard work and he congratulates everyone involved.

David D'Agostino from the Scituate Ambulance Corps asked to address the Town Council. He stated that he is very upset that the Ambulance Corps has been taken off the run card. This move basically put them out of business. He can't understand why the Fire Engineering Board would do that because the Ambulance Corps does not take any Town money for their operation. He is requesting that they be put back on the run card until this situation can be resolved. He said he has people that want to run on the ambulance.

Council President Richard said that he feels that the Council can't make a decision at this time he needs for Richard Tucker to investigate the situation and report back to the Council at the next meeting.

Mr. D'Agostino said that he wants something done before the next meeting.

Councilman Winfield stated that he has known about this situation since December and wants to know how long it is going to go on.

Councilman Farrar asked Richard Tucker if he could update the Council at this time.

Richard Tucker said that he is not prepared at this time, but he will meet with the President and Commander of the Scituate Ambulance Corps to verify that they have adequate coverage and can respond.

Councilman Marcello suggested that it be put on the February agenda and to have the other Fire Chiefs attend.

Council President Richard stated that he will meet with Richard Tucker and Mr. D'Agostino and try to come to an agreement.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to authorize Ted Przybyla to request an actuarial study on the police pension.

Councilman Salisbury would like to have some of the old pictures and photos from the Town Clerk's Office copied and displayed at the Chopmist Hill Inn. He feels that the people would like to see what Scituate was like in yesteryear.

Councilman Farrar suggested that we contact the Town Historian, Barbara Sarkesian, to help with this project.

Town Clerk Long said she will look into the prices and contact Mrs. Sarkesian and report back to the Council.

Councilman Marcello mentioned that we should make sure that we actually own the photos before we expend money to have them framed, ect. He suggested that in the future we should have the person donating, to sign a release form.

Councilman Marcello said that he would like to have the Police Lieutenant's benefits clarified so that there will be no confusion in the future.

Chief Mack said he will ask Vincent Ragosta, Esq., to review the policy and make changes to it.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to modify Section 402 of the Human Resource Policy to reflect the new 5% co-pay that the employees pay for health insurance.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway and voted by consent agreement to modify Section 409 of the Human Resource Policy in regards to retirees cost of health insurance coverage and take in account the new co-pay.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to ask Representative Mumford to submit legislation to the General Assembly for enabling referendum regarding the construction of a Middle School and modifications to the existing educational facilities and to support a resolution stating this.

Motion made by Council Vice-President Budway seconded by Councilman Marcello to authorize the Middle School Exploration Committee to undertake actions

necessary to place a middle school construction and related matters on a referendum before the voters.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway to allow the Town Council to request to the appropriate State Agencies, a request from the Town of Scituate to purchase surplus State property.

Councilman Marcello asked Town Solicitor Nicholas Gorham to draft letters to DOT and DEM about the purchase of State land.

Council Vice-President Budway said that the Middle School Exploration Committee needs to expend money to pay for preliminary architect and engineering work and to pay for the appraisals on the property. He suggested after these are accomplished the Town Council will need to appoint a formal building committee for the presentation to the taxpayers.

Motion made by Councilman Salisbury, seconded Council Vice-President Budway and voted by consent agreement to pay early expenses of \$187,436.55 regular Council expenses of \$96,875.35 and supplemental Council expenses of \$122,569.56, for a total of \$406,881.46.

Councilman Farrar wanted to thank the voters of Scituate for giving him the opportunity to serve on the Town Council.

During Legislative remarks, Representative Carol Mumford wanted to thank the Middle School Exploration Committee for all of their hard work and dedication to this project.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by roll call to adjourn to closed session pursuant to R.I.G.L. 42-46-5 (A) 2 Litigation, Providence Water Supply Board Mediation at 9:15 PM.

Councilman Salisbury-aye

Councilman Marcello-aye

Councilman Farrar-aye

Councilman Winfield-aye

Council Vice-President Budway-aye Council President Richard-aye

Motion carries.

Open session reconvened at 9:24 PM.

Motion made by Councilman Salisbury, seconded by Councilman Farrar and voted by consent agreement to re affirm the motion that was made in Closed Session.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway and voted by consent agreement to adjourn at 9:25 PM and to keep the minutes of the meeting previously closed to the public; closed pursuant to RIGL 42-46-4 and 42-46-5 and allow the Town Clerk 14 days to prepare the minutes of the meeting.

Attest:

Margaret M. Long, Town Clerk