

A regular meeting of the Town Council held for the Town of Scituate on Thursday, November 10, 2005 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:35 PM. Council President Richard presiding.

After pledging allegiance to the flag of our country, Council President Richard asked Town Clerk Long to call the roll:

Roll call vote as follows:

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

At this time Chief William Mack introduced Matthew J. King who is being sworn in this evening as a probational police officer. Chief Mack told the Council that Mr. King was a magna cum laude graduate from RI College with a Bachelors degree. He also told the audience that Mr. King resides in Foster and was a Richmond police officer before joining the Scituate force.

Chief Mack stated that once Keith Yeaw graduates from the Academy next month, the Scituate Police will be at full strength for the first time since July 2004.

Next on the agenda is an update on the Providence Police firing range. Chief Mack explained that since the incident in October 2004, when a bullet from the Providence police firing range broke a window at the Highway garage he has been trying to settle the matter with Providence police. He explained that Providence said that it was a new recruit that fired the bullet and the chance of that happening again is slim.

Chief Mack said that at this point the Town Council asked the Town Solicitor to get involved. David D'Agostino asked for a temporary restraining order against Providence Police until some safe guards could be put in place. This was denied by the Judge. The Judge scheduled a preliminary injunction. At the trial Mr. Dagostino explained the concerns that the Council and the neighbors had. The Judge would not shut down the range, he stated that one incident was not enough and that too many other Police departments use that range and it would be a burden on a lot of police forces if it was closed down.

Mr. D'Agostino said that the court case is still open, and if there is another problem, the Judge said they would address it immediately.

Mr. Lyle Monroe, Trimtown Road said why do we have to wait until there is another problem until some sort of action happens?

Mr. D'Agostino said that the Judge doesn't feel that there is enough of a problem to close it down.

Mr. Monroe stated that maybe the range should be moved to the Judge's neighborhood and then see how fast action is taken.

Councilman Marcello asked Chief Mack if the Providence police are notifying him of the shooting schedule.

Chief Mack stated that he doesn't receive information about the schedule, but he feels that the security on the range has been increased.

Councilman Marcello stated that he feels that we should send the Providence police a letter reminding them of the agreement they made with us after the Highway garage incident.

Motion made by Councilman Marcello, seconded by Councilman Farrar and voted by a roll call vote to open the Public Hearing for the renewal of Liquor and Victualling Licenses, the second reading of the amended Elderly Tax Freeze Ordinance and the first reading of the amended Juvenile Hearing Board Ordinance.

Councilman Marcello-aye

Councilman Winfield-aye

Councilman Farrar-aye

Council Vice-President Budway-aye

Council President Richard-aye

Motion passes the Public Hearing is now open.

At this time Council President Richard told the audience that the only liquor licenses that could be voted on this evening were the Class A Licenses a due to the lack of the quorum on the others since Councilmen Winfield and Marcello will recuse themselves.

Motion made by Councilman Winfield, seconded by Councilman Farrar and voted by consent agreement to renew the Class A license for Anthony E. Abbruzzi, Jr., d/b/a Scituate Liquor Shoppe pending the receipt of a letter of good standing from the Liquor Control Board, and that all state and local taxes are current.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to renew the Class A liquor license for Nicholas Izzi, d/b/a General Country Store pending the receipt of a letter of good standing from the Liquor control Board and that all State and local taxes are current.

Council President Richard informed the audience that the other liquor licenses will be acted upon before the end of the month at a Special Town Council meeting.

Motion made by Council Vice-President Budway, seconded by Councilman Farrar and voted by consent agreement to approve the renewal the Victualling licenses pending that Town taxes are paid.

Motion made by Councilman Marcello, seconded by Councilman Winfield and voted by consent agreement to dispense with the second reading of the Elderly Tax Freeze Ordinance. During discussion, many questions were asked by the Council as to the specific language in the act.

Councilman Marcello asked if the phrases "elderly and owner occupied" language in the ordinance should be defined, he also wanted to know if a multi family dwelling would be eligible for the freeze.

Karen Beattie, Tax Assessor, stated that the main reason for the change to the ordinance was to add that a person had to live in Scituate for 10 years before becoming eligible for the freeze. She also said that the other amendment was to allow children that are on the deed to live with the parent if it is medically necessary.

Bernie Lang, Peeptoad Road, asked if these changes would make him ineligible since his house is in a Trust.

Council President Richard said that the Providence Journal misunderstood him when he explained about the changes, and that it will have not effect for people whose property is in a Trust.

George Smyth, West Greenville Road ,said that he was on the Town Council in 1972 when this ordinance was originally adopted. He explained that you could have more that one person on the deed at that time.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to table the second reading of this ordinance to the December meeting so that legal counsel can review their question.

Council President Richard explained the reason for the change in the Juvenile Hearing Board ordinance. He said that in the ordinance it stated that no member can be an employee of the Town of Scituate. He said the Lt. Bremges notified Town Clerk Long that there is currently an employee of the School Department that sits on the Board. He would like that part removed from the ordinance. He feels that since the Town Council has to appoint all members, if they feel the candidate is not appropriate, they can choose not to appoint them.

Motion made by Councilman Farrar, seconded by Council Vice-President Budway and voted by consent agreement to delete the word employee from the Juvenile Hearing Board Ordinance.

Motion made by Councilman Marcello, seconded by Councilman Farrar, and voted by consent agreement to approve the Regular Council minutes of October 13, 2005.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to table the approval of the October 27, 2005 Closed Town Council meeting.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to approve the abatements dated November 1, 2005 in the amount of \$119.94 and additions in the amount of \$5,077.32.

Motion made by Councilman Marcello, seconded by Councilman Farrar and voted by consent agreement to approve the abatements dated October 25, 2005 in the amount of \$88,746.69.

Karen Beattie, Tax Assessor explained that this list of abatements was due to the fact the Town had already sent out its tax bills prior to the general Assembly increased the exemption on motor vehicles. She explained that she will be sending out letters to all people affected and telling them that they will receive a bill for the fourth quarter taxes in the new reduced amount. She also informed the Council that this happened in 7 or 8 other communities.

During Departmental Reports, Richard Iverson informed the Council that the Main Street project in Hope is moving along quickly. He said that David Provonsil has the plans. He said the Ice Tea project is also moving along and hopes to have decorative lighting in both Hope and North Scituate by 2006 or 2007. He also told the

Council that he has ordered automatic thermostats for all Town buildings except the Highway garage and the Police Station.

Chief Mack told the Council that he received one bid for the new police car even though had opened up the bid to other companies. He also stated that it was a bare bones bid and that the Town will have to pay for some the extras.

Councilman Farrar asked the Chief if he thought he got a better price because it was a generic bid and not specific to the make or model.

Chief Mack doesn't believe so. He asked if the bid award could be on the next Town Council agenda so he is able to order the car.

Council Vice-President Budway asked who the bidder was.

Chief Mack said it was MHQ, the same company the always bids on police vehicles.

Emergency Management Director, Richard Tucker told the Council that the firefighters have been very busy with the recent heavy rains and flooding problems. He said that they should be commended for doing such a good job. He also said that the wired fire alarm system is not working well and that we should look into replacing it with the radio box system. He stated that there are currently 11 pull boxes and to replace them with the radio box it will cost between \$4,000-\$4,200 per box.

Council Vice-President Budway asked Town Solicitor D'Agostino who actually owns the boxes.

He replied that he is not sure, and that he will look into it.

Councilman Farrar said that we should update all of the Town buildings and make sure they are all up to code.

Councilman Winfield stated that if we change over, we should make sure that they are on the correct frequency.

Senior Services Director, Judy Loven told the Council that she recently received her food handler license. She also presented to the Town a check for \$102,000 from the Community Block Grant.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to accept and file the departmental reports as submitted.

Karen Beattie, Tax Assessor told the Council that she would recommend them to award the bid for the statistical revaluation to the Certified Revaluation Company even though they are not the low bidder. This company has performed this service for the Town in both 2000 and 2003. She feels that they are the most qualified and the difference in the amount is not substantial.

Councilman Marcello stated that he felt that it is time to have a new set of eyes look at the project. He is also concerned that the City of Providence is disputing the value this company put on their property. The City of Providence said that this company did not have the proper certificates to reevaluate a water system.

Karen Beattie said that the low bidder has never converted our system to their system and that she feels that they are spreading themselves to thin.

Councilman Marcello said that he doesn't feel comfortable with this company because of the problems we have had with the City of Providence's valuation of their property.

Councilman Farrar stated that he has a difficult time contacting the present company and that they do not return their calls.

Council Vice-President Budway asked when does this contract need to be awarded? He also asked when does the work need to start.

Karen Beattie said that the work will need to be started by spring time.

Council Vice-President Budway asked Mr. Neal Dupre, President of Certified Revaluation Company, to respond to the Councils' concerns in writing and tell the Council how he will rectify these problems. He also stated that he felt we should have faith in the Tax Assessor's choice.

Motion made by Councilman Marcello, seconded by Councilman Farrar and voted by consent agreement to table awarding the bid for the statistical revaluation.

The next bid to be awarded is for fire department protective clothing.

Richard Tucker, Emergency Management Director, said that we only received one bid. He said that the bid that was received is allowing the Town to tag unto the State of Connecticut's contract. He said that we are getting top of the line gear at a fraction of the price.

Motion made by Councilman Farrar, seconded by Council Vice-President Budway and voted by consent agreement to award the bid to Firematic Supply Company of Sterling Massachusetts and the purchase can not exceed \$36,000.

Motion made by Councilman Winfield, seconded by Councilman Farrar and voted by consent agreement to re-appoint Theodore J. Przybyla, Richard Iverson and Robert Budway to the Insurance Review Board for term expiring November 2006.

Motion made by Councilman Marcello, seconded by Councilman Winfield and voted by consent agreement to appoint Councilmen Budway, Salisbury and Marcello to the Police Negotiating Committee for a term expiring November 2006.

Motion made by Councilman Winfield, seconded by Council Vice-President Budway and voted by consent agreement to renew the Private Investigators license for Timothy Homerston expiring December 2005.

During Council remarks, Councilman Marcello wanted to wish everyone a Happy Thanksgiving. He also wanted to congratulate Judy Loven on the great job she is doing at the Senior Center. He also wanted to mention that he went to Hope Mill for the presentation and thinks it will be good because it will increase the Town's tax base. He does want to make sure that the entire Council sits down and discusses the proposal.

Council President Richard wanted to mention the wonderful article that was in today's paper regarding Mr. Robert Lambert. Mr. Lambert is a lifelong resident of Hope and a former POW. The article explained about Mr. Lambert's experience in the POW camp. Council President Richard wanted to honor Mr. Lambert for his lifelong dedication to this Town and his Country.

Council President Richard said there is no need for a closed session this evening because the D.P.W workers are still negotiating.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to pay early expenses in the amount of \$50,375.32.

Motion made by Councilman Marcello, seconded by Councilman Farrar and voted by consent agreement to pay regular expenses in the amount of \$15,340.94.

Motion made by Councilman Marcello, seconded by Councilman Farrar and voted by consent agreement to pay supplemental expenses in the amount of \$119,298.64, for a total of \$185,014.90.

Motion made by Councilman Marcello, seconded by Council Vice-President Budway and voted by consent agreement to adjourn the meeting at 9:45 PM and to keep the minutes of the meetings previously closed to the public: closed pursuant to R.I.G.L. 42-46-4 and 42-46-5 and to allow the Town Clerk 14 days to prepare the minutes of the meeting.

Attest:

Margaret M. Long
Town Clerk