

A regular meeting of the Town Council held for the Town of Scituate on Thursday, May 12, 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, Town Clerk Long called the roll. Roll call vote as follows:

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

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by a roll call vote to open the Public Hearing.

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

Motion passes, Public Hearing for the CDBG Grant is opened.

Judy Loven explained that the grant proposal has been at the Town Clerk's office for the past several weeks and that this Public Hearing is to see if the public would like to make any changes to the proposed grant. At this time, she asked if any one in the audience would like to speak for or against the grant, no one spoke.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by consent agreement to approve of the grant and request that it be submitted to the State.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by a roll call vote to close the Public Hearing.

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

Motion made by Councilman Marchant, seconded by Councilman Winfield and voted by consent agreement to table the approval of the Council minutes of April 14, 2005, Financial Town Meeting of April 5, 2005 and the Closed minutes of March 10, 2005.

During departmental reports, Town Clerk Long informed the Council about the grant that the Town Clerk's Office received from the Rhode Island Foundation. She explained that Peggy Pinkey wrote the grant for \$400.00 to restore an old Town Meetings Book. She explained that Peggy Pinkey contacted Ruth Strach, a local book conservationist, about doing the work. Ms. Strach agreed to do the work at a discounted price for the Town.

Richard Iverson, Director of Public Works, told the Council that he has two emergency purchases that need to be approved that were not budgeted for in this year's budget. The first is for a vehicle lift for the highway garage; the old one broke, and it is not economical to fix it. He explained that he will split the cost of that with the Police Department. He suggested that he and the Chief of Police have surplus vehicles that they need to sell, and he was wondering if they could use that money to pay for the lift. The second purchase is not really an emergency, but the fire companies would like to have a key card system installed on the fuel pumps. This will allow them to fuel up the emergency equipment at all times and not have to rely on someone being at the Highway Garage.

Richard Iverson also informed the Council that the North Scituate Fire Department would like to meet with the Council to discuss the Town taking over ownership of their building. He also told the Council that he met with the vendor for the fireworks; he had him evaluate each location (Hope Park and Chopmist Hill Inn). The vendor feels that the best location is the Chopmist Hill Inn for various reasons including that they could use larger canister fire works at that location.

Councilman Marcello said that he feels that we should skip the fire works this year and use that money to help offset the key card system for the fire departments.

Councilman Marcello asked Mr. Provonsil if the Chopmist Hill Inn sign has been removed from the intersection of routes 6 and 102.

David Provonsil said that he has contacted the owner of the property, and has received permission to have the sign removed.

Chief Mack informed the Council that the radar trailer is still not working. He also told the Council that he has made Richard Tucker a Special Police Officer and he has notified the Trust.

Town Treasurer Przybyla thanked his staff for the successful audit and for the prestigious award for excellence in accounting that they recently received.

Richard Tucker, Emergency Management Director, told the Council that the Fire Engineering Board would like to speak with the Council and suggested that they set up a meeting.

Senior Services Director Judy Loven told the Council that it has been very busy at the meal site. She explained that she routinely has 40 for lunch and sometimes she has up to 52. This is a big increase over the numbers at the Community House. She explained that she is still looking for a part time driver. She is finding it hard because it is only for a couple of hours per week. Judy Loven also informed the Council that a group of citizens would like to host a fundraiser for the Senior Center.

Town Council President Richard said that it would be up to her if she felt that a fundraiser would be a good idea.

David Provonsil, Building Official, told the Council that he will have a draft from the Plan Commission for the next meeting in regards to helping with economic development.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to place and file all departmental reports.

During audience participation, John Tessitore, White Birch Circle, wanted to thank Mr. Capaldi, Director of DOT, for the fine job cleaning up Route 116.

Council President Richard said that the DOT did a fine job on all of the State roads in Scituate for the past several years.

Council Vice-President Budway said that several weeks ago the Police Explorers were cleaning up litter throughout the Town.

Celeste Leveillee, 256 Westcott Road, asked Mr. Iverson when the nets at the tennis court would be locked down.

Mr. Iverson said it would be done right away, and thanked her.

Bernadette Quindazzi, 125 Franklin Road, stated that since the Town is having a difficult financial year and with the uncertainty of the Water Supply Board, she suggested that the Town should be trying to expand its tax base by promoting light business, and retirement condos that don't use many tax resources.

Council President Richard explained to her that is what the Planning Board and Mr. Provonsil are working on now. Mr. Provonsil had said that a report will be ready for the next Council meeting.

Council Vice-President Budway stated that the Growth Management Committee is currently working the same sort of idea to raise tax revenue without increasing expenses. He said that he is currently scheduling a joint meeting with the Growth Management Committee and the Finance Committee.

At this time, Council President Richard wanted to introduce and congratulate the Scituate High School Boys Basketball team who won the 2005 State Championship. He told the audience that this team also won the Division title with a record of 21 straight wins. He also mentioned that Chris Birrell was the first male player in the school's history to make 1000 points during his high school career. He asked the three coaches, Bill Mitchell, Head Coach; Frank Luca and James Colbert, Assistant Coaches, to come forward to receive their proclamations. He also wanted to congratulate Coach Mitchell, for being chosen "Coach of the Year" by the RI Interscholastic League. He also wanted to congratulate Jean Angell, Athletic Director. He said that it was so nice to see all the people from Scituate come out to cheer them on during their finals games.

Representative Carol Mumford had a House Proclamation for the team and presented it to Coach Mitchell.

After handing out the certificates, the Council took a short break to personally congratulate the team and have some refreshments at 8:10 PM.

The meeting resumed at 8:30 PM.

Motion made by Councilman Marcello, seconded by Councilman Winfield and voted by consent agreement to adopt the resolution for Peace Officers Day 2005.

Motion made by Councilman Salisbury, seconded by Councilman Winfield to adopt the resolution for mutual aid. Discussion followed.

Chief Mack explained that in non-emergency situations police officers could work in other Towns. This will allow Police Officers to cross over Town lines in the case of an emergency.

Councilman Marcello asked who drafted this resolution?

Nick Gorham said that Diane Izzo from his office did draft the resolution at the request of the Chief Mack.

Council Vice-President Budway asked if our insurance will cover the officers when they cross over Town lines?

Councilman Marcello asked since Foster downsized its police force, will this mean that we will be required to go to Foster on a regular basis?

Councilman Salisbury asked if the Chief Mack would have control over when and where they go?

Chief Mack and Chief Hainsworth from the Gloucester police are the two that drafted the rough copy of the resolution. He said that he will have control over who and where the officers go and assured the Council that this will not mean that will be picking up the extra workload if a community has downsized its police force.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to authorize Council President Richard to sign the mutual aid resolution.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to reappoint the Hope Sewer Committee members for a term expiring May 2006 (list herewith).

Motion made by Councilman Winfield, seconded by Councilman Marcello and voted by consent agreement to reappoint the members of the Beautification Committee for a term expiring May 2006 (list herewith).

Motion made by Councilman Marchant, seconded by Councilman Winfield and voted by consent agreement to reappoint the members of the Hope Village Overlay Committee for a term expiring May 2006 (list herewith).

Motion made by Councilman Marcello, seconded by Councilman Marchant and voted by consent agreement to appoint Karen Mattera and Joe Augustine to the Recreation Committee for a term expiring January 2008. Richard Iverson read a letter of recommendation for these two candidates submitted by Thomas Muelberg from the Recreation Committee.

Council President Richard asked Town Clerk Long to post the vacancy for the Pawtuxet River Authority.

Council President Richard suggested to the Town Council that they request Town Clerk Long to go back 15 years and compile a list of policies and procedures that have been enacted. He feels this would be a good way to prevent any Council from deviating from the polices. He suggested that the list be given to each member and when new members are elected. This will allow everyone to be aware of past policies and procedures.

Motion made by Councilman Salisbury, seconded by Councilman Farrar and voted by consent agreement to request Town Clerk Long to compile a list for Council review, and then make a Policy and Procedures Manual for all Council members.

Next under discussion, was the installation of a fixed radar unit on Route 116 in Hope. Council Vice-President Budway had asked this request to go to the Traffic Safety Committee for a recommendation. The Traffic Safety Committee then submitted to the State Traffic Safety Commission since Route 116 is a state road. The State recommended the installation of two fixed radar units on route 116 in the village of Hope.

Chief Mack informed the Council that the cost of the units is \$10,000 and the State approval is contingent upon the Town accepting the responsibility for design, installation, maintenance and the cost of the unit.

Councilman Marcello suggested that Chief Mack have a police officer posted in that area at the critical times of the day.

Councilman Winfield said that he thought it was a good idea if we didn't have the budget constraints the Town is facing.

Council Vice-President Budway had two suggestions, first, if the budget allows, install just one unit and have it in limited use when School in session, or defer this until the next budget year. He did want to inform the Council that he feels that it is a very important because the road narrows considerably in that area.

Chief Mack said that the units would be similar to the unit on Wakefield Street in West Warwick. He feels that it would be a good idea but it is not a necessity. He also said that since the road narrows, it is very hard for his officers to pull someone over in that area.

Council President Richard suggested that we place our portable radar unit in that area at critical times and look into getting a grant for the fixed units. He feels that it is important, but due to our financial constraints, it would be hard to do right now.

Chief Mack said he will try to put extra patrols in that area during critical times.

Council President Richard stated that he is not in favor of a standing committee for the police interviews. He feels that if we review and are informed of all of the policies, this will suffice.

Councilman Marcello said that he agreed with Council President Richard.

Margaux Morisseau, Coalition Director for the Northern RI Affordable Homes Action, asked to address the Council in regards to the Council passing a resolution in support of this program. She explained that this resolution is have the State provide monies for building affordable housing units.

Councilman Marchant asked if this bill is successful, where will the money go?

Ms. Morisseau said that it will either go to RI Housing Authority or to the builder of affordable housing.

Motion made by Councilman Marcelo, seconded by Councilman Salisbury and voted by consent agreement to support the aforementioned resolution.

David Provonsil asked the Council if the zoning fees could be deposited to his expense account to offset expenses?

Town Treasurer Przybyla said this can't be done because it is not acceptable accounting practices. He said revenue has to go into a revenue account and expenses in their own account.

Mr. Provonsil stated that he cut out the zoning expense as part of his cost saving measures and now has no money to pay his expenses.

Town Treasurer Przybyla said that he will sit down with him to try to figure out a solution.

Karen Beattie, Tax Assessor, asked the Council to approve her sending out letters to seniors on the tax freeze explaining about how the title to that property can be held. She explained that currently if two people are on the deed and the senior has a life estate in the property, this property is still eligible for the tax freeze as long as the other party on the deed does not live at that address. She said that she realized that some of the recipients of the freeze hold title in that way. She said that in this letter it explains they can change the way the title is held and retain their tax freeze. She gave them until the end of the year to so, and she suggested that the Council might consider giving a reduced rate on the filing of the new deed.

Town Treasurer Przybyla asked how many people this will affect, and why have they been receiving the freeze if they didn't conform to the ordinance?

Karen Beattie explained that about 18 of the 700 properties currently on the freeze are affected, and said that after having the Town Solicitor review the ordinance, she realized the error. She explained that she is not suggesting that the ordinance be changed. She would like to send out a letter explaining the ordinance to the people that are currently in violation to give them a chance to change their deeds so they don't lose the tax freeze.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to authorize the Karen Beattie, Tax Assessor, to send out the letters of explanation.

Motion made by Councilman Winfield, seconded Council Marchant and voted by consent agreement to pay early expenses of \$22,526.27, early expenses old budget of \$25,293.14, regular Council expenses of \$7,250.30, regular council expenses old budget of \$25,391.02 and supplemental Council expenses of \$107,473.54 and supplemental expenses old budget of \$26,358.66 for a total of \$214,292.93.

During legislative remarks, Representative Mumford explained to the Council about the letter from the Governor stating that he will not approve of any community to exceed a 5.5% tax increase. He said unless there are extenuating circumstances (which salaries, pensions and health care costs are not considered), he will not approve of exceeding the state mandated cap.

She said that currently there are 4 bills for pension reform; the Governor's bill is one of these. He is looking for support on his pension reform, and feels that if he doesn't allow any community to exceed the cap, they will have to support him to balance their budgets.

Carol Mumford asked the Council what they wanted to her to do, should she withdraw the bill or go forward with it?

Councilman Salisbury said that she should follow through with the bill even though he knows that puts her in a difficult position with the Governor.

Councilman Marcello said that we have a budget that is not conforming to state law at the present time.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway and voted by a roll call vote to authorize representative Carol Mumford to proceed with the legislation to have the General Assembly to allow the Town to exceed the 5.5 % cap.

Councilman Marchant-aye

Councilman Winfield-aye

Councilman Farrar-aye

Councilman Salusbury-aye

Councilman Marcello-nay

Council Vice-President Budway-aye

Motion passes with a vote of 5 affirmative and 1 negative vote.

Councilman Marcello explained the reason he voted against the motion is because he doesn't feel that we should have exceeded the 5.5% cap in the first place.

During Council remarks, Council Vice-President Budway said that he recently attending a meeting the WB Community Health. At the meeting it was suggested to try to get language inserted into the contracts that allows for other health insurances instead of just Blue Cross. This way we will have more bargaining power with the Insurance Companies.

Council President Richard asked the Council what they wanted to do about the fireworks.

Council Vice-President Budway stated that he feels that they should be Hope this year. He feels they will be less money and it is good to rotate the sites.

Councilman Marcello feels this should be a decision of the Recreation Committee.

John Tessitore, White Birch Circle, suggested getting a cooperate sponsorship, like Tasca Lincoln Mercury.

Recreation Director Richard Iverson said that if you asked him, he would say don't do it since the budget is so tight this year.

Council President Richard requested that the Council meeting be adjourned in the memory of Henry Iverson. He said that Mr. Iverson was a former President of the Town Council and dedicated many years to the Town of Scituate. He was well respected by all and he always had a positive attitude. He asked that a page be reserved in the minutes book in his memory.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to adjourn to closed session at 10:15 pm pursuant to RIGL 42-46-5 (A) 2 – Litigation-update on the Providence Water Supply Board mediation.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to adjourn at 10:25 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

