

A regular meeting of the Town Council held for the Town of Scituate on Thursday, December 14, 2006 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:00 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	

The first item on the agenda is the swearing in of Keith Yeaw as a permanent Police Officer. At this time, Chief William Mack asked Mr. Yeaw to come forward for the oath of office. Chief Mack told the Council that Mr. Yeaw is a life long resident of the Town of Scituate and that he graduated from Scituate High School. He told the Council that Mr. Yeaw has completed his 15 month probation period.

Chief Mack introduced David Randall and asked him to step forward to receive the oath of office for his promotion to Captain. Chief Mack said that David Randall has served in the capacity of Lt. for the past year and has done an outstanding job. He then asked David Randall's children to pin the new Captain's bars and shield on his uniform.

Captain Randall thanked Chief Mack and the Town Council for the faith they have in him and to say what an honor this is.

Next on the agenda is the recognition of the retiring Council members; Councilmen Marchant and Marcello and Town Council President Richard.

Councilman Salisbury said that Councilman Marchant is the longest serving Councilman to retire. He has served the Town for the last 16 years and has done an outstanding job. He said that he has been instrumental in the establishment of the Scituate Health Care Plan Committee and sat on a House Committee to study Medical Saving Plans. Councilman Salisbury said the Councilman Marchant will be sorely missed.

Councilman Salisbury then introduced retiring Councilman Michael Marcello. He said that he has known Michael the longest of all the Council members. He said that Michael has served as a Councilman for 8 years and has done a fine job. Councilman Salisbury said that he has enjoyed sitting next to him over the years and sparring with him, but joking aside, he said that Councilman Marcello many times brought a different perspective to the Council. He said that he has distinguished himself in High School, as a lawyer and on the Council, and he said that we have not seen the last of him.

Councilman Marcello thanked Councilman Salisbury for the kind words and said that he also enjoyed the bantering back and forth with him. He also wanted to thank the residents of Scituate for their faith they placed in him over the past years.

Councilman Salisbury introduced Council President Theodore J. Richard III. He said that he has been the Council President for the last 10 years and the only Council person to ever had been elected President in his 1<sup>st</sup> term. Councilman Salisbury said that

he has done an outstanding job, that he was always a gentleman who dedicated numerous hours to the position. Councilman Salisbury said that Council President Richard could always be reached no matter if it was day or night, and that he always shared his expertise with the Council and never excluded anyone from the process. He said that Ted's leadership was second to none and that the will be sorely missed.

Council President Richard thanked Councilman Salisbury for his kind words and said that it has been an honor and a privilege to serve the people of Scituate.

At this time each retiring member was presented with a plate and a certificate of appreciation and the meeting was recessed for cake and coffee in their honor.

Motion made by Councilman Salisbury, seconded by Councilman Farrar and voted by consent agreement to approve the November 9, 2006 Town Council minutes.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to approve the November 14, 2006 Special Town Council minutes.

Motion made by Councilman Marchant, seconded by Councilman Salisbury and voted by consent agreement to approve the Tax Collector's abatements of \$272.22.

Karen Beattie, Tax Assessor, explained to the Council about her abatements for the City of Providence. She said that she had to abate the taxes to comply with the order from the Superior Court in regards to the farm, forest and open space designation.

Motion made Councilman Farrar, seconded by Councilman Marchant and voted by consent agreement to approve the Tax Assessor's abatements in the amount of \$26,499.29 and additions in the amount \$53,346.65.

During departmental reports, Chief William Mack wanted to give his best wishes to the retiring members of the Town Council.

Councilman Marcello asked the Chief about the recent house breaks in the Town.

Chief Mack explained that most of the house breaks are occurring during the day and most of them are close to main roads.

Councilman Marcello asked Public Works Director Iverson if the floor at the Chopmist Hill Center has been repaired.

Mr. Iverson said that the repairs are finished.

Building Inspector David Provonsil told the Council that one of his employees, George Smith, will be going to a permanent part time status and will be working about 25 hours per week and this will be reflected in his 2007-2008 budget.

Town Clerk Long extended an invitation to the Council and department heads to stop by Town on Friday, December 22<sup>nd</sup> for the Town Hall's annual Christmas Party.

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

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by consent agreement to reappoint Chief William Mack, Captain David Randall, Robert Budway, Richard Iverson, Gerald Rounds and Edwin Rogers to the Traffic Safety Committee for a term expiring December 2007.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to reappoint Ruth Strach and Cynthia Gianfrancisco to the Conservation Committee for a term expiring December 2009.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to reappoint Margaret Long the Blood Coordinator for a term expiring December 2007.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by consent agreement to reappoint Leo Thompson to the Land Trust for a term expiring December 2011.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by roll call vote to open the Public hearing for the renewals of Junk and Second Hand sales licenses and the first reading of the Nuisance Dog Ordinance.

Councilman Winfield-aye

Councilman Marchant-aye

Councilman Salisbury-aye

Council Vice-President Budway-aye

Councilman Farrar-aye

Councilman Marcello-aye

Council President Richard-aye

Motion passes the Public Hearing is open.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to approve the renewal of the Junk license for Harry J. Hall III, expiring December 31, 2007, pending the payment of all taxes and compliance with all Town Ordinances.

Motion made by Councilman Marcello seconded by Councilman Marchant and voted by consent agreement to renew the Second Hand Sales Licenses, expiring December 31, 2007, pending the payment of all taxes and compliance with all Scituate Ordinances. (list herewith)

Motion made by Councilman Marcello, seconded by Councilman Salisbury to dispense with and approve the first reading of the nuisance dog ordinance.

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 Winfield-aye

Councilman Marchant-aye

Council Vice-President Budway-aye

Councilman Salisbury-aye

Councilman Farrar-aye

Council President Richard-aye

Motion passes and the Public Hearing is closed.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to approve the Firearm Sales licenses, pending the payment of all taxes, and compliance with all Scituate Ordinances expiring December 31, 2007. (list herewith)

Motion made by Councilman Winfield, seconded by Councilman Salisbury and voted by consent agreement to approve the Hawker's and Peddler's licenses pending the payment of all taxes and compliance with all Scituate Ordinances expiring December 31, 2007 (list herewith).

Motion made by Councilman Marcello, seconded by Councilman Winfield and voted by consent agreement to approve the Private Investigators licenses expiring December 2007. (list herewith)

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to appoint Karen Beattie Tax Assessor for a term expiring December 2008.

Motion made Councilman Farrar, seconded by Councilman Salisbury and voted by consent agreement to approve the joint pole location on Old Hope Kent Road with Mr. Iverson's approval.

During discussion and/or approval, the Fire Marshall's position was discussed.

Richard Tucker said that he feels that a budget line item of \$9,500 should cover the stipends and supplies. He mentioned that Councilwoman elect Knowlton spoke to him about the Smithfield Fire Department's web site. She said that it clearly spells out what the resident needs to do to get a fire inspection, He said that after reviewing the web site he feels that it is a good idea to try to do something like that. He feels that it would make it more efficient and user friendly.

Council Vice-President Budway stated that before the Council makes a decision, he would like to speak to a CPA to discuss tax consequences, and if we have to consider this person a town employee.

Richard Tucker said that the IRS has a narrow view about how much money volunteers can make before they are no longer considered volunteers. He said that if the amount of money they make approaches 20% of what a regular fire fighter makes they could get into trouble with the IRS.

Council President Richard said that he feels that all of these concerns need to be addressed before the Council makes a final decision.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by consent agreement to table the discussion of the Fire Marshals position.

Richard Iverson explained to the Council that he has done research on the administration of the Worker's Compensation Act. He explained that he spoke to Beacon Mutual Insurance who is the third party administrator for the injured on duty program for the Police Department. He said that he received a quote from them for \$4950 for all Town employees except school and police employees for a 6 month period. He said that he will share the information with the Dr. Lescault, Superintendent of Schools, but he was quoted a price a \$12,000 to \$16,000 to provide the same insurance for the School Department. Mr. Iverson further explained that this is not a insurance policy, we would still be self-insured, but they would act as are third party administrator.

Councilman Marcello suggested that we get prices on the whole package and not just on the administrative part. He also asked Mr. Iverson if there are other companies that offer this type of service.

Mr. Iverson said that Beacon has cornered the market on this service.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to approve the hiring of Beacon Mutual as the Town's third party administrator for Workman Compensation.

Next on the agenda is the discussion of the recommendations of the Human Resource Committee. Vice-President Budway explained that the committee has been meeting to formulate a wage classification and new hires wage ranges along with some very specific time lines on raises. He feels that this will allow the department heads a little more leeway without always having to seek Council approval. The committee is also working on grouping employees into a specific category based on the type of jobs they do. He said that the committee also identified certain employees that they felt were not being paid an adequate amount as compared to other employees doing the same type of job. He said that the total for the adjustments should be just a little under \$15,000 and he suggests that the budget committee take it into consideration during the budget process. He also said that the committee has suggested restoring the longevity benefit and doing away with the steps for new employees.

Councilman Marcello said that he is not in favor of restoring the longevity benefit because he feels that it is a hidden cost and no one really sees it, that residents think the employees are getting a certain raise but with the longevity it could be much more.

Council Vice-President Budway said that the committee made this recommendation because the non-union members are the only group that is not getting this benefit. This benefit is in both the Police and Public Works contracts. He said that they were only trying to be fair to all employees.

Council Vice-President Budway asked the Council to adopt the new hire range and classifications and to discontinue the step benefit for future employees. He said that the rest of the recommendations can be deferred until the budget committee can see the financial ramifications.

Councilman Marcello said that he feels all the recommendations should be tabled until the new Council is installed.

Motion made by Councilman Salisbury, seconded by Councilman Farrar to take Council Vice-President recommendations to adopt the hire range, wage classifications and the discontinuation of the steps for future employees. Councilmen Salisbury, Winfield, Marchant, Farrar, Budway and Richard voted aye, Councilman Marcello voted nay.

Motion carries.

Council President Richard explained the next item on the agenda he said that a committee was formed to discuss Chief Mack's employment agreement. He said that Councilmen Marcello, Farrar and Salisbury were on this committee. He said that the original agreement expired in July of 2006, and that if the Council renews the agreement, it will be the Chief's last one. Chief Mack has expressed an interest to retire after this next 2-year agreement expires. Council President Richard said that he would like to have Councilmen Marcello, Farrar and himself sit down with the Chief and come to an agreement before the end of the year.

Councilman Marcello said that unfortunately he does not have the time before the end of the year.

Council President Richard suggested that Councilman Farrar and himself sit down with the Chief and come to an agreement since this is long overdue.

Chief Mack explained the next agenda item, which is a bid award for police in cruiser digital recording system. He said that the bid included units for seven vehicles and that the low bidder did not include the server with the bid. And if they had to buy the server it would raise the price over the other bid amount. He also said that the State Police recently went with Watch Guard system.

Councilman Winfield asked Chief Mack what the bid price was for the State Police.

Chief Mack and Purchasing Director Tucker said that they will research it.

Chief Mack said that the Watch Guard system is exactly what he wants and includes instillation.

Motion made by Councilman Salisbury, seconded by Councilman Farrar and voted by consent agreement to award the bid to Watch Guard for the bid price of \$35,714.00 after Chief Mack finds out about the State Police bid, and to give him and Richard Tucker the authority to accept the high bidder.

Motion made by Councilman Marchant, seconded Council Vice-President Budway and voted by consent agreement to pay early expenses of \$117,937.47 regular Council expenses of \$28,487.10 and supplemental Council expenses of \$ 141,264.16 for a total of \$287,688.73.

During Council remarks, the entire Council wished everyone a happy and healthy holiday season.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted by a roll call vote to adjourn to closed session pursuant to RIGL 42-46-5(A)2-Collective Bargaining-Police Department.

Councilman Winfield-aye

Councilman Salisbury-aye

Councilman Marchant-aye

Councilman Farrar-aye

Councilman Marcello-aye

Council Vice-President Budway-aye

Council President Richard-aye

Motion carries.

Reconvened at 9:08 PM.

Motion made by Councilman Salisbury, seconded by Council Vice-President Budway and voted by consent agreement to ratify the Police contract

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to adjourn at 9:09 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