

A regular meeting of the Town Council held for the Town of Scituate on Thursday, May 10, 2007 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 5:30 PM. Council President Budway presiding.

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

Councilman Salisbury --present	Council Vice-President Farrar -- present
Councilman Collins -- present	Councilman Winfield--present
Councilman D'Agostino -- present	Councilwoman Knowlton --absent
Council President Budway -- present	

Motion made by Councilman D'Agostino, seconded by Council Vice-President Farrar and voted by a roll call vote to adjourn to closed session pursuant to RIGL 42-46-5-(A) 2-Litigation-Employer/Employee Tax Liability Issues.

Councilman Collins --aye	Councilman Winfield--aye
Council Vice-President Farrar--aye	Council President Budway--aye
Councilman D'Agostino--aye	Councilman Salisbury--aye

Motion passes, adjourned to closed session.

Councilwoman Knowlton arrived in closed session at 6PM.

Town Council reconvened to open session at 7:15PM.

The first item is the recognition of Megan Umbriano in achieving Girl Scouts Highest Award the "Gold Award".

Council President Budway congratulated Miss Umbriano and presented her with a certificate from the Town Council.

Next on the agenda is the swearing in of Probation Police Officer Richard Parenti. Chief Mack told the Council that Mr. Parenti resides in Scituate and graduated from the Scituate School System. He has also holds a Bachelor of Arts degree in Marketing. He said that Mr. Parenti graduated from the Municipal Police Academy in March. Chief Mack stated that he is happy that a resident finished first and was able to join the force.

Chief Mack informed the Town Council that on May 17, 2007 it will be the annual awards ceremony and dinner with the FOPA and that all Council members are welcome to attend.

Chief Mack asked retiring Sergeant Sedgley to step forward and be recognized for his 17 years of service to the Scituate Police department. Chief Mack said that not only has Sergeant Sedgley served the Town, he has also served the United States as a member of the RI Air National Guard and has done a two year tour of duty in Southwest Asia. Chief Mack said that Sergeant Sedgley has been an asset to the force and will be missed. Chief Mack wished him well with his new job at the Providence Police Department.

Council President Budway presented Sergeant Sedgley with a proclamation from the Town and an official Town plate.

The Council recessed for refreshments at 7:30 PM.

The Council meeting reconvened at 7:45 PM.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to adopt the resolution for Peace Officers Day 2007. (copy herewithin)

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to approve of the Council minutes of April 12, 2007.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to approve the minutes of the special meeting of May 1, 2007.

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to approved the minutes of the April 3, 2007 Financial Town Meeting.

During departmental reports, David Provonsil spoke of the letter that he received from a Town resident complaining about unregistered vehicles on Franklin and Charles Harpin Roads. He said that he has been to the site and requested that the site be cleaned up. He said that the property owner assured him that the property will be in compliance within two weeks.

Mr. Provonsil updated the Council of the status of the Hope Mill Village project. He said that they still have not sent an acceptable letter regarding the agreement for the sewer reserve. He said that they have submitted two drafts which are not acceptable. He also said that the Town still is not sure who the partners are in the LLC and that we still don't have accurate documents.

Council President Budway said that it is very important that we know who we are dealing with so that we can be assured that a legal representative signs the appropriate forms.

Councilwoman Knowlton asked Mr. Provonsil if he could go on the Secretary of State's web site to see who the partners are.

Mr. Provonsil said that they are not listed on the web site.

Councilman Collins said that he went by the property today and noticed that the fence across the street is down which protected the trench.

Mr. Provonsil said that he will contact the owners to have them fix the fence since it is safety issue.

Councilman Salisbury said if they can't provide us with an accurate document, the Town should not write it for them.

Council President Budway agreed that they should have to provide us with an acceptable document.

Mr. Provonsil informed the Council on the status of the Feeney property on Harrington Ave. He said that the building permit has expired and that the building is unsafe, and he has ordered that it be boarded up. He said that if it has not been done by Wednesday, then the Town has the legal right to go in and take care of it and then lien the property for the cost to the Town.

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

During audience participation, Don Campbell, 328 Quaker Lane said that he has concern that the Town does not have an open line of communication with its largest taxpayer the Providence Water Supply Board. He said that he sent them a letter regarding the amount of trash on the roads in Town and that a lot of the trash has ended up in back of their fences. He said that in the letter he received back they said that they would open the gates if someone was willing to pick up the litter. Mr. Campbell also said that he is not satisfied with the way the recreational fields in Town have been cleaned. He said that the organizations using the fields should be responsible to clean up. He said that he wants to get a concerted effort of an “organized and ongoing trash pick up effort started”. He said that how can we ask others to do our clean up if we are not willing to clean up after ourselves. He also wanted everyone to know that trash bags are available at the highway Garage and would like to see them at the Town Hall.

Councilwoman Knowlton said that maybe we should try to advertise the “adopt a spot” program in the Town. She also suggested trying to enlist the help of local businesses to adopt a spot.

Council Vice-President Farrar said that Boy Scout Troop 2 North Scituate has adopted the area from Trinity Church to the Village IGA and has organized cleanups several times a year.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to reappoint the Hope Sewer Committee for a term expiring May 2008. (list herewithin)

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to appoint Angela DiMartino of 22 Main Street, Hope as an alternate member of the Hope Village Overlay Committee term expiring June 2008.

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to appoint David A. D’Agostino to the Traffic Safety Committee.

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

Councilman Collins-aye	Councilman Salisbury-aye
Councilman D’Agostino-aye	Councilwoman Knowlton-aye
Council Vice-President Farrar-aye	Councilman Winfield-aye
Council President Budway-aye	

Motion carries the Public Hearing is now open.

Motion made by Councilman Collins, seconded by Councilman Salisbury and voted by consent agreement to accept the first reading of the Eminent Domain Ordinance.

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

Councilman Collins-aye	Councilman Salisbury-aye
Councilman D’Agostino-aye	Councilwoman Knowlton-aye
Council Vice-President Farrar-aye	Councilman Winfield-aye
Council President Budway-aye	

Motion carries the Public Hearing is now closed.

Motion made by Councilman Winfield, seconded by Councilman D'Agostino and voted by consent agreement to accept the Tax Collector's abatements in the amount of \$2,917.24.

Councilwoman Knowlton told the Council that she has been working on some initiatives that she feels will increase the Town's recycling efforts. She said that the Town does not currently recycle enough and we are being charged for extra tipping fees. She said that she wants to do some public education to let the residents know how important recycling is and the cost to the taxpayers if we don't meet our quota. She is suggesting that we enter into a collaborative effort with the Schools, DEM and RI Resource Recovery to do the education. She said that the money we save through these efforts be used for recreation and for the program to be called "Recycling for Recreation". She informed the Council that there are many aspects of recycling that the public knows very little about. She has contacted the head of the Town of Smithfield's recycling coordinator who lives in Scituate and she has given her a lot of good ideas.

Council President Budway suggested that a Committee be formed to enact these initiatives and that Councilwoman Knowlton and Don Campbell be members of said Committee.

Councilwoman Knowlton said that having weekly recycling usually helps increase the percentage.

Mr. Iverson said that he would look into the cost of a weekly recycling pickup instead of every other week.

Council Vice-President Farrar said the best place to start this education program is in the schools.

Councilman Winfield suggested that the trash collectors put stickers on the trashcans of the people who don't recycle, telling them they have to by Town ordinance.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to approve the request for a third dog to Lila Hanson 1092 Chopmist Hill Road with Pat Howarth's recommendation. And that this license is for three specific dogs.

Next is a discussion of the bond for the middle/high school renovation and addition project.

Councilman Salisbury explained the report of the ad-hoc committee to investigate the recreational/athletic portion of the project. He explained that the Town can only get reimbursement for the amount that was requested from the Department of Education last year, which was around 5-6 million dollars. He also explained that these additional recreation/altheletic expenses will not be able to be reimbursed for because they were not in last year's plan. Despite this fact, the Committee does recommend that additional facilities be added for the good of the students. He explained that athletics are growing in numbers with the addition of a football and lacrosse teams, more fields and training facilities are desperately needed. He also said that the Committee agreed to pay more for this new artificial turf for the playing fields, which will allow for us to play on it more often with out the costly maintenance.

Council President Budway asked Mr. Przybyla if he could approximate the tax liability if the bonding for this project passes.

Mr. Przybyla said that this is just a rough guess but if this is \$500,000 in debt service, it will increase our taxes by around 2.37%.

Councilman Collins said that he thought the total bond was going to be for 7.2 million.

Councilman Salisbury said that the School Committee went back and added some other things to the proposal. He said that he feels that the Town should do it right the first time.

Council President Budway said that approximately 5.3 million is for the buildings and renovation, and then with the athletic fields and facilities, it will go up to around 9.3 million.

Council President Budway asked Councilman Salisbury if there is another request for the Town wide recreational facilities.

Councilman Salisbury said no, that this was just the school athletic facilities.

Joe DeSilvia said that this will not help the Soccer Association who are in desperate need for playing fields.

Ruth Strach, 184 West Greenville Road, asked what the time line is on this project.

Councilman Salisbury said that a lot of the legwork has already been done last year when the other bond was proposed. He said that now we must get the enabling legislation passed through our General Assembly to allow us to have a vote on the bond issue.

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar and voted by consent agreement to approve the bond to go to the General Assembly for the renovations and additions to the Middle/High School Complex not to exceed 9.2 million dollars.

Council President Budway would like to see the Capital Improvement Plan recommended by the Finance Committee implemented.

Motion made by Councilman Collins, seconded by Councilman Salisbury and voted by consent agreement to implement the Capital Improvement Plan.

Councilman Salisbury informed the Council that Council Vice-President Farrar, Richard Iverson and himself toured the Lawton Farm in search of an area for the Pop Warner Football League to have practice fields. He said that they need more area than the Chopmist Hill Center can provide. After they toured the land, they contacted the Conservation Commission to speak to them about the possibility of the Town using the 15 acres it owns for a recreation area at the Lawton Farm.

Tom Angell, Conservation Commission Chairman said that the Commission had a lot of reservations about that land being used for active recreation. He explained that in that area and the area that the Scituate Land Trust owns, there are certain birds that nest there and he is afraid that the area will be ruined.

Councilwoman Knowlton said that 289 children are currently enrolled in the program with 70% being Scituate residents. She said that the Chopmist Hill center can't accommodate all of those children.

Councilman Salisbury said that they are not planning on mowing down the whole 15 acres only a portion because the Chopmist Hill Center can't be used this year because it needed to be re-seeded. He said that the league is in desperate need and they will need the fields ASAP.

Council Vice-President Farrar said that once he heard that the Conservation Commission and the Land Trust had concerns with this plan, he decided to go to their meeting. He said that he really got beat up during the meeting and suggested that they attend the Council meeting and let the Council know their concerns.

Paul Dolan, Scituate Land Trust Chairman, said that the fields are not level and that there is a lot of rocks. He said that he is concerned that these fields have been in their natural state for the past 40-60 years and now we will disturb it. He said will this only be for 1 year and then go back to the Chopmist Hill Center, is it worth all of the destruction for only one year?

Councilman Salisbury said that we do not need to use any heavy equipment or pesticides on the fields and that there will be a minimum of work done.

Tom Angell asked if the Council could delay any action on this proposal for a few weeks to see if he can secure another area for the practices to be held. He said that once that area is disturbed it will never go back to its natural state.

Councilwoman Knowlton said that there are other groups in Town that need practice fields and that the area will not just be used for a year.

Ruth Strach said that the needs of the Conservation Commission and the Land Trust should be kept in mind and things shouldn't be done without their knowledge.

Councilman Salisbury said that this was not a conspiracy against them. He said that right after the meeting they were contacted and asked for their opinions. He said that the Town purchased that land for recreation, and legally it can be used for that purpose.

Councilman Salisbury said that Mr. Angell can have two weeks to see if he can secure another area and feels that this whole thing has been blown out of proportion.

Councilman Winfield asked how much is enough, he said that we have to be responsible to the environment and that we are spending money like drunken soldiers. That we are coming into difficult budget times.

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to approve the resolution allowing for the Middle/High School Renovation/Addition Project (herewithin).

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to approve the resolution for Coalition of Communities Improving Rhode Island. (herewithin)

During Council remarks, Councilwoman Knowlton said that she has been approached by two Coventry Town Council Members that wanted to know if the Town

would be willing to suspend the no-through trucking ordinance on Hope Furnace Road so that they can clean up the gravel bank on Colvintown Road.

Councilman Salisbury asked if they are the same Council members that stranded two of our residents when they closed a road in Coventry.

Council President Budway asked Town Solicitor D'Agostino if we can legally do that.

Councilman Collins said that there is a Federal Court case in regards to that ordinance and would it be wise to suspend it for one it might open up a can of worms.

Council President Budway suggested that we deal with this issue once there is a formal request of the Council.

Council President Budway mentioned correspondence that he has received regarding the Town supporting the idea of a sister city in the country of Kuwait. He said that if there is any interest from the Council we can put the matter on the agenda for a vote next month.

Motion made by Councilman Salisbury, seconded Councilman Collins and voted by consent agreement to pay early expenses of \$111,229.76 early expenses old budget of \$43,298.17 regular Council expenses of \$21,457.74 regular council expenses old budget of \$168,742.12 and supplemental Council expenses of \$ 93,974.03 and supplemental expenses old budget of \$18,160.10 for a total of \$456,861.92.

Motion made by Councilman Winfield, seconded by Councilman Salisbury and voted by consent agreement to cancel the closed session.

Motion made by Councilman Winfield, seconded by Councilman Salisbury and voted by consent agreement to adjourn at 9:55 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

For complete testimony please refer to the audiotape.