

A regular meeting of the Town Council held for the Town of Scituate on Thursday, March 8, 2007 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:35 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 Councilman D'Agostino -- present
Councilwoman Knowlton -- present Councilman Winfield--present
Councilman Collins -- present Council Vice-President Farrar --present
Council President Budway – present

First on the agenda is the swearing in of permanent police officer Matthew King.

Chief William Mack said that Patrolman King has successfully completed the 15-month probationary period and is honored to swear him in as a permanent patrol officer.

At this time, Chief Mack said that Mr. King has done an excellent job since starting with the Scituate Police force, and said that his 2 years on another force surely helped. Chief Mack administered the oath of office.

Next on the agenda is a proclamation commemorating the 95th Anniversary of the Girl Scouts of America.

Council President Budway asked the girls to stand and be recognized while he read the proclamation. He also said that he commends the girls for all of their hard work and urges them to continue with scouting.

The Girls Scouts thanked Council President Budway and the Town Council and gave each Council member a box of Girl Scout cookies. At this time, the Council adjourned for refreshments.

The Town Council meeting reconvened at 7:45PM.

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

Town Clerk Long explained that these are all renewals, and all of the stipulations have remained the same as last year for the Kennel licenses.

Council President Budway explained to the audience that he will read all the names of the applicants, and then if anyone in the audience would care to speak for or against any of the licenses, they may do so then. (list herewith)

In Patricia Howarth's report, she stated that she sees no reason why the Kennel licenses should not be renewed.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to renew the Kennel licenses with the same stipulations as last year.

Council President Budway asked Judy Loven, Board of Director of the Western RI Home Repair Program, to explain the proposed activities for the CDBG grant.

Mrs. Loven said that the Town can ask for a maximum of \$250,000 for the grant. She said that housing should be top on the priority list because this is the main reason why the grant was stated in the first place. She said that the Town has asked for monies

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to approve the minutes of the February 13, 2007 Special Town Council meeting.

During departmental reports, Public Works Director Richard Iverson told the Council that he is currently speaking with the Town of Foster in regards to the rubbish removal contract. Presently both Town's have Rambone and Sons and are very pleased with the service that they provide. He is discussing the language with the Town of Foster and will give the contract to our legal counsel. He said that he will be ready to advertise shortly and is looking for another 3-year contract with an extension provision. He is hoping that Rambone will win the bid because they do such an outstanding job and it is in the best interest of the Town to have a company that does such a good job.

Chief Mack said that the digital video recording systems have been installed in the police cars.

Richard Tucker, Emergency Services Director, said that he and Town Council President Budway are currently meeting with other companies that perform rescue billing and have been very pleased with the services that they provide. He said that if the Town decides to switch companies, he will ask for the Council's approval.

Council President Budway said that he has recently attended a meeting of some of Mayors, Town Administrators and Town Council Presidents of some of the suburban communities. They want to form an alliance to let the General Assembly know the problems that we have. Since our populations are smaller than the large communities the idea is that if we band together there will be strength in numbers. He said that he will keep the Council informed of the activities of this group.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to place and file all department reports.

During audience participation, Don Campbell, Quaker Lane asked the Council about the meeting that Councilmen Salisbury, Budway and Farrar attended on March 1, 2007 dealing with the States water supply.

Council President Budway said that this meeting was dealing with the water situation State wide and nothing particular to Scituate.

Council Vice-President Farrar said that a lot the meeting was dealing with ways to conserve the States water supply.

Don Campbell asked the Council for their permission to reprint the letter that Ted Richard mailed out to the residents of the Town when he was Council President regarding our situation with the PWSB. He explained that he will pay for the reprinting and mailing of the letter to the residents of the Town. He feels that a lot of residents don't know about the situation and he wants them to be informed. He also suggested that a grass roots campaign be initiated by the four Towns that are most severely affected by the PWSB (Scituate, Foster, Gloucester and Johnston).

Councilman Salisbury said that he can reprint the letter it is his legal right since it is a public document. He said that he would like to applaud his efforts to educate the residents of Scituate.

Councilman Salisbury said that the meeting was very useful but disagrees with some that feel that the water situation can be solved by conservation alone. He said that there will come a day that the State will not have enough clean water. He said that the State is feeling the pinch now with the Amgen Company not being able to have enough water for its plant.

Don Campbell said that he wants the Council to plan for the future of Scituate, he wants the Council to keep the residents informed.

Council President Budway said that it is the intention of the Council to keep the residents informed. He asked Mr. Campbell that when he sends out Mr. Richard's letter if he could put on the letter when this was mailed out originally.

Michael Marcello, Chopmist hill Road asked if we have a tax rate yet?

Town Treasurer Przybyla said that Karen Beattie is working on it.

Mr. Marcello also asked if the reservoir is really for sale and how much is the Town willing to pay for it? He also asked if the Town has the right of first refusal if it goes up for sale.

Councilman Salisbury said that there has been precedent in the State that the property could revert to the previous land owner in cases of property that was taken by eminent domain. He said that these are all aspects that the Town will have to look into.

Motion made by Council Vice-President Farrar, seconded by Councilman Collins and voted by consent agreement to approve the Second Hand Sales license for Gary E. Seal, d/b/a Dragonfly Antiques, 180 Danielson Pike, North Scituate RI.

Motion made by Councilman Salisbury, seconded by Councilman Winfield and voted on by consent agreement to re-appoint Jewell Augustine and Joyce Costakos to the Board of Canvassers, Alternates for a term expiring March 2008.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint Wayne Salisbury, David Provonsil, Richard Iverson and Chris Modisette as members of the Storm Water Committee for a term expiring March 2008.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to reappoint John Winfield and Robert Budway to the Incentive Committee for a term expiring March 2008.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to authorize the payment of \$2,000 to the Western RL Home Repair Program to help fund the administration of the CDGB grant for this year because their budget was cut last year with the added stipulation that this will not happen again.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to approve the licensing of a third dog to Christine Morton 144 Howard Ave, Hope with the stipulations that it is for this specific dog and that the license can be revoked at any time.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to approve the licensing of a third dog to Gary Pickard, 1T Parker Road, Scituate with the stipulations that it is for this specific dog and that the license can be revoked at any time.

Council President Budway explained that the function of the Reservoir Acquisition Exploratory Committee would be to explore the feasibility of the Town in purchasing the reservoir. He said that they will explore and identify issues and then report back to the Council with their findings and observations. He feels that the most qualified persons to serve on this Committee are John Gorham, Ted Richard and Ted Przybyla.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to appoint John Gorham, Ted Richard and Ted Przybyla to the Reservoir Acquisition Exploratory Committee.

David Provonsil, Building Official, spoke on the adoption of a capital improvement plan, which is needed, for the feasibility study for the implementation of impact fees. He said that he had hoped to a sample plan from a neighboring community with a similar population for this meeting, but he did not obtain one on time. He explained that the two samples that the Council had at the budget hearing is a good plan to work from. He suggested that the Finance Committee fine tune the plan, send it to the Planning Committee and then back to the Council for final approval.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to ask the voters to approve a capital bond in the amount of \$684,400.00 at the upcoming Financial Town Meeting.

General discussion followed with the merits of the Town Council adopting an Eminent Domain Ordinance.

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar and voted by consent agreement to ask legal counsel draft an ordinance for the Council to review at the next meeting.

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar and voted by consent agreement to authorize Councilman Salisbury and Town Clerk Long to write a letter to the administratrix of former Town Historian, Barbara Sarkesian estate to request that the Town be given any historical property pertaining to the Town that Mrs. Sarkesian had at the time of her death.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to approve the issuance of \$400,000 bond, which was approved at the 2006 Financial Town Meeting.

Town Treasurer Przybyla thanked the Council and explained that he can now bundle the purchase of the bonds together and save the Town money.

Richard Iverson explained that the Town Council needs to sign the contract with Resource Recovery because if we do not have a signed contract and we go over our cap, it will cost the Town more money. He said that the contract will run from July 2006-July 2007 and that the only difference is that the cap has increased slightly. He also said that he is working on ways to increase the recycling in the Town and that he will be mailing out a calendar to remind the residents when the recycling week is.

Council Vice-President Farrar explained to the Council that he would like to have the tapes of Scituate's history by Frank Spencer be condensed and put on a CD. He said that he has a volunteer that is willing to help him with the project. He said that Roger

Cichy is willing to help with all of the technical aspects. What is needed now is have some volunteers that know the history of the Town. He said that he is looking for the ok from the Council and also money to complete the project. He said that once the tapes are converted to an edited form, he feels that more people will take the time to educate themselves on the history of Scituate. He told the Council that the original tapes are 4-5 hours in length.

Council President Budway asked how much money will be needed.

Mr. Roger Cichy said that he doesn't know at this point because he is not sure how much work needs to be done to the tapes before they can be edited and transferred to CD's. He also said that he has heard that the tapes have a background sound of buzzing on them and he is not sure how much money it will be to remove that sound.

Council Vice-President Farrar said that he is planning on asking local organizations for money to help with this project. He is planning on asking the Rotary, Lions and the Art festival Committee for money.

Donald Campbell, Quaker Lane said that the North Scituate Public Library has converted the tapes to CD's and has removed the buzzing sound that was in the original tapes. He said that the Library is selling the CD's for \$25.00.

The Council said that they thought this is a good idea and thanks Council Vice-President Farrar and Mr. Cichy and tells them to start the project.

Next on the agenda is a brief description on the roles and responsibilities of the Town Solicitor. Town Solicitor, David D'Agostino explained to the Council the various roles and responsibilities of the Solicitor.

Next on the agenda is the bid awards. This evening there are three items, bond counsel, audit and a public works service truck.

Town Treasurer Przybyla said that he received two bid proposals for the Bond Counsel. He said that one firm is quoting an hourly fee and the other is quoting a flat fee. He suggested to the Council that they accept the flat fee bid from Edwards and Angell in the amount of \$3,500 for the TANS and \$3,000 for the GOB. Mr. Przybyla mentioned that he thought it was very strange that our current bond counsel, Gorham and Gorham did not submit a bid.

David D'Agostino, Gorham and Gorham said that they thought it might have been a conflict of interest since they also serve as the Town Solicitor.

Town Treasurer Przybyla asked if they would be willing to perform the service for the price that was quoted by Edwards and Angell.

Mr. D'Agostino said that they would be willing to do it for that amount.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to hire Gorham and Gorham as bond counsel for the price that was quoted by Edwards and Angell, \$3,500 for the TANS and \$3,000 for GOB.

Councilman D'Agostino recused himself from this vote.

The next bid to be awarded is for the annual financial audit. Town Treasurer Przybyla said that he received two bid proposals, one from a firm in Boston, James George, P.C. that hasn't done any municipal work and the other from Bacon and Company who has performed our audit for several years.

Mr. Przybyla told the Council that he recommends that the Council awards the bid to Bacon and Company even though they were the high bidder. He explained that James George, P.C. does not have the experience that he feels is necessary to perform the audit. He said that who ever the Council chooses they will still have to be approved by the Auditor General. He said that the difference in price is not enough to jeopardize our bond rating.

Councilman Salisbury said that he feels that it is important to have a new set of eyes prepare our audit this year and that if someone doesn't give the other guy a chance he will never get experience in the municipal field.

Town Treasurer Przybyla said that if the Council wants a new controller can be put in charge of the audit, so that it will actually be a new set of eyes.

Councilman Winfield said that the current company Bacon and Company has not been responsive to his question and concerns in the past and feels that a new company should perform the audit. He said that if the Council awards the bid to James George, P.C. and the Auditor general has a problem with their qualifications then the council will have to deal with it then. He feels that we should give the other company a chance.

Council President Budway said that he understands Councilmen Salisbury and Winfield concerns but said that Bacon and Company have superior qualifications.

Motion made by Councilman Winfield, seconded by Councilwoman Knowlton to accept the lower bidder, James George, PC.

Discussion followed, Council President Budway said that he doesn't feel that James George, P.C. doesn't have the qualification and if the Council doesn't want Bacon and Company there might be an other alternative, maybe we should submit another bid proposal and see if anyone else responds.

Town Treasurer Przybyla said since we really don't have the time to start the bidding process again, he suggesting that the Council award the bid to Bacon and company but only award the contract for one year.

Motion called, voted by roll call:

Councilwoman Knowlton-aye

Councilman Winfield-aye

Councilman Collins-nay

Councilman Salisbury-nay

Councilman D'Agostino-nay

Council Vice-President Farrar-nay

Motion defeated with two affirmative votes and four negative votes.

Motion made by Councilman Salisbury, seconded by council Vice-President Farrar and voted by consent agreement to award the audit bid to the high bidder Bacon and Company for a one-year contract.

Richard Iverson, Director of Public works told the Council that he had received five bids for the truck. He said that he even called vendors and ask them to submit a proposal because in the past there hasn't been that many to pick from. He is recommending to the Council that they accept the low bidder Colony Ford at the bid price of \$38,923.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to award the bid for the public works service truck to Colony Ford for a price of \$38,923.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to approve the Tan's resolution 07-03. (herewithin)

Motion made by Councilman Collins, seconded Councilman Salisbury and voted by consent agreement to approve the resolution 07-04 for the general Obligation bonds or Notes in the amount of \$684,400.00.(herewithin)

Councilwoman Knowlton asked Mr. Iverson why the bill for Chirico Construction is being paid when they have not finished the job on the Chopmist Hill Fire station.

Mr. Iverson said to take the bill out and he will look into it.

Councilwoman Knowlton asked why a bill for diesel repair work has not been paid yet. She said that the Fire Company is getting calls from the vendor wondering where the payment is.

Richard Iverson explained that he and Richard Tucker are working on the bill trying to determine if the repair work will be covered under the truck warranty.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to approve the amount of \$106,326.66 for early Council expenses, \$ 55,546.30 for regular Council expenses and \$5,509.10 for supplemental Council expenses for a total of \$167,382.06.

During Council remarks Councilman Winfield asked Representative Mumford if she could introduce legislation that would allow the Cities and Towns to place ads on the state website instead of having to advertise in a paper of general circulation. He said that the rates that the Providence Journal are charging is making it very costly to the municipalities.

Representative Mumford said that she would be glad to introduce that legislation for the Town.

Councilwoman Knowlton said that she is working along with the schools to have an active recycling program.

Councilman Salisbury wanted to let everyone know that the Girls Varsity Basketball Team will be going to the State Championships on Sunday at the Ryan Center. And that the Boys Varsity Hockey Team will be competing in the State Championship this Saturday. He wants to wish them all good luck.

Council President Budway wanted to inform the Council that the WB Community Health is in the process of comparing prices of health insurance between Blue Cross and United Health. He said that he has met with representatives of the School Department in regards to the proposed modifications to the HighSchool/Middle School Complex. He also to wants the council to know that the Foster Home Journal will put in an article from the council on a monthly basis explaining to the residents what the Council is doing to keep them up to date on the work of the Council.

Representative Mumford wanted to inform the Council about some proposed legislation that will effect elections. The first piece of legislation to decrease the amount of time before an inactive voter can be purged from the system. This will insure that the voting lists are as current as possible. The second piece is to change the time of the polls closing from 9PM to 8PM. This might make it easier to find poll workers and us and Iowa are the only two States that close at 9PM.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by roll call to adjourn to closed session at 10:20PM pursuant to RIGL 42-46-5(A)2 litigation-Providence Water Supply Board and to allow Representative Mumford, Town Treasurer Przybyla, Town Clerk Long, Tax Assessor Beattie and Ted Richard attend the meeting.

Councilman Salisbury --aye

Council President Budway-aye

Councilman D'Agostino-- aye

Councilman Winfield--aye

Councilman Collins -- aye

Council Vice-President Farrar --aye

Councilwoman Knowlton-aye

Motion passes Council adjourned to Closed Session at 10:20 PM.

Meeting reconvened at 11:03 PM.

No motions or votes were taken in the closed session.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to adjourn at 11:04 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 discussion please refer to the audiotape.