

A regular meeting of the Town Council held for the Town of Scituate on Thursday, October 11, 2007 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:31 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 Collins -- present
Councilman D'Agostino – present	Councilwoman Knowlton--present
Councilman Winfield -- present	Council Vice-President Farrar --present
Council President Budway – present	

Council President Budway informed the audience that there is nothing on Lawton Farm on the agenda for this evening and the Council will not be discussing it. He said that the Council will be scheduling a special meeting in November to discuss this issue. He said that people will be allowed to speak during audience participation, but asked that only people with new questions or concerns speak. He said that he doesn't want the same people to reiterate the same statements as last month. He said that the Council entertained their questions and statements for 2.5 hours last month, and the Council cannot do that again this evening because of a full agenda. He informed the audience that audience participation is under item #7 on the agenda.

Motion made by Vice-President Farrar seconded by Councilman Collins and voted by consent agreement to table the approval of the September 12, 2007 Town Council minutes on the request of Town Clerk Long because she hasn't been able to finalize them.

During department reports, Richard Iverson, Recreation Director, said the winter recreation basketball signups will be held the weekends of October 27th and November 3rd, 2007 at the High School.

Captain Randall told the Council that overtime figures stated on the report need to be amended. He said that the new figures are \$8539.00 for the month of September and \$72,972.00 for the year. He also told the Council that the Art Festival went very well with no major incidents. He said that the incidents that did occur were in regards to nuisance's abatements and juvenile problems. He informed the Council that 96 parking violations were issued that weekend.

Council Vice-President Farrar said that he is on the grounds committee for the Art Festival and wanted to commend the Police Department for doing a great job.

Richard Tucker, Director of Emergency Services said that the FEB (fire engineering board) are currently scheduling testing of the fire alarms and panels. He also told the Council that he felt that the Art Festival went well from an emergency services perspective; he was glad that we had a Federal DMAT team on the grounds, which were used three times on the weekend. He explained that this trailer is basically a hospital room on wheels.

Judy Loven, Director of Senior Services said that the Chopmist Hill Center will be celebrating their 3rd anniversary on Friday, October 19th and invited everyone to join the celebration.

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

Next on the agenda is audience participation, Council President Budway informed the audience that questions on agenda items will be answered first and then questions on non agenda items.

Michael Marcello of 874 Chopmist Hill Road asked what the status is with the negotiations with the PWSB, and if they decide to sell the reservoir, if the Town has the right of first refusal?

Council President Budway said that he is not sure if the Town has the right of first refusal.

Mr. Marcello asked if the committee that was formed to investigate the purchase of the reservoir has met and do they have any suggestions? He also asked if the Town sees a resolution by the end of the year?

Council President Budway said that he will not speculate about the timing of a resolution, and said that the Town did let the City of Providence know that the Town is interested in purchasing the property.

Mr. Marcello asked Council President Budway if he has meet directly with the negotiating team for PWSB, and, if so, how many meetings has he attended?

Council President Budway said that he has attended one meeting.

Kathryn Miller of 17 Castle Drive, Hope told the Council that she would appreciate their support of the purchase of a Ford Escape for the Director of Public Works. She feels that this purchase is the most economical solution. She feels that the Escape will be the most economical vehicle the purpose it is to be used for.

Darlene Shlesinger of 41 Hope Furnace Road, Hope asked about the activity at the Hope Mill dam area.

Council President Budway said that the owners of the Hope Mill have done some work on the dam without the permission of DEM. He also said that they will be going in front of the Planning Board in a few weeks for the approval of the sewer line.

Darlene Shlesinger asked who is going to pay for the sewer line.

Council President Budway said the developer will pay for it initially and then the Town will pay them back. He explained that the reason the Town is paying for it is that several areas of Hope will be tied into the new system. These areas include Hope School, Police Station, Hope Jackson Fire Company and Mill Street.

Barbara Venerbeck, of 25 Rockland Road Scituate is very concerned about the wording on the ballot for school bond issue. She said that nothing says that a good portion of the 9.2 million dollars is for athletic fields. She is afraid that a lot of people will think that the whole 9.2 million is for renovations and additions to the schools. She asked if there is any way that the wording can be changed.

Council President Budway said that the School Department and the Building Committee are putting together a series of informational meetings to educate the public on the bond issue and what is included in it. He also said that a mailing will go to every resident in the Town explaining the project.

Town Solicitor D'Agostino said that the wording cannot be changed because that is the way that the act passed in the General Assembly.

Rudy Bettez, of Hope Furnace Road, Hope suggested that once the sewer line is installed, that they run it up Hope Furnace Road to Howard Ave to Ring Rock Acres and Frosty Valley. He said that that area really needs sewers, He said that on weekends the river has too much sewage in it. He also said that since the bond issue contains almost 4.2 million for athletic fields, that the football league should use that area and forget about Lawton Farm. He said that if they still want to use Lawton Farm; he asked how much more can residents pay in taxes.

Council President Budway said that the Town has been run in a very prudent financial manner, and that the taxes in Town are one of the lowest in the State.

Mike Marcello, 874 Chopmist Hill Road said that he would like to follow up on Ms. Vennerbeck comments. He said that he feels all the information should be on the ballot he said that he feels that this whole process was done "sloppy". He said that they should have separated the two proposals, that one should be the whole package and the other just the renovations and addition to the school with no athletic fields.

Council Vice-President Farrar said that the Hope School was $\frac{3}{4}$ full with people asking questions about the bond issue, he feels that the people will understand the ballot.

Council President Budway explained that the people wanting to speak on the Lawton Farm issue are next, he asked that there not be any long speeches and please don't repeat anything that was said at the last meeting.

Christine Cornell Desmaris of 66 Massasoit Ave, Warwick said that she is the daughter of Mr. & Mrs. Cornell whose property abuts the farm. She said that she is here tonight on behalf of her parents; she said that she is very concerned about the parking for the field, she said that the driveway is around 150 feet long and that at the end it probably has spots for 8 cars. She said that she has school age children and feels that traveling is part of the whole sports experience. She said that even though the Council said that the fields will be used for football for 2 $\frac{1}{2}$ months, Councilwoman Knowlton also mentioned that the lacrosse team needs fields. She is asking will it just be for football or will it be for other sports too.

Megan Tanzi, 691 Danielson Pike said that the Lawton Farm is a silly place to put an athletic field She urges everyone to come out and vote for the fields at the High School. She said that there would be no problem with parking there.

Sally Stacey 11 Patnode Ave., Hope does feels that there is a conflict of interest with Councilwoman Knowlton urging all of the football parents to come to the Council meeting and express their views.

Martha Asermley, 91 Jackson Flat Road, said that the Town has spent a lot of money on the Chopmist Hill Center and feels that the Town should just finish that project and let the football stay there and leave Lawton Farm alone.

Rudy Bettez, Hope Furnace Road, Hope said that he has lived in Town for over 60 years. He said that he loves the kids and Scituate, but feels that Lawton Farm is not the place to put athletic fields. He said that he feels that Councilwoman Knowlton is wrong and that the people elect our Town Council and they expect that they will represent their feelings. He also said that the area is very wet which will not be conducive to fields.

Kirk Rerick of 264 Main Street, Fiskville said that he has more information from RIDEM; he asked if the Town has done anymore research on the conditions on the Open Space bond?

Claire Stadmueller of 963 Seven Mile Road, Cranston, asked why the Town is not improving the fields at the Chopmist Hill Center instead of trying to create new fields at Lawton Farm. She said that the Lawton Farm area is very wet and will not be good for fields. She also asked why weren't these things discussed before the Council decided to authorize the use of the Lawton Farm at the June 2007 Town Council meeting. She said that nobody was aware that this was going to be voted on at that time.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to approve the Tax Assessors abatements in the amount of \$199.21 and additions in the amount of \$8,507.95.

Council Vice-President Farrar recused himself from the agenda item Bid Awards.

Richard Iverson, Director of Public Works, told the Council that he was very pleased with the amount of bids he received for winter sand. He said that he contacted the Town of Coventry in regards to the low bidder since he has never done business with this company. He said that they highly recommended them.

Councilman Winfield asked Mr. Iverson if he checked to see what the State contract was for.

Mr. Iverson said that the State contract for winter sand is \$13.05 per ton.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to award the winter sand bid to the low bidder, Walter Reynolds, Inc for a price of \$11.90 per ton.

Mr. Iverson said that he called the City of Woonsocket in regards to the low bidder for the bituminous paving, and they have been very pleased with this company.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to award the bituminous paving bid to the low bidder Narragansett Improvement for a bid price of \$54.95 per ton.

Motion made by Council Vice President Farrar, seconded by Council Collins and voted by a roll call vote to open the Public Hearing.

Councilman Collins-aye

Councilwoman Knowlton-aye

Councilman Winfield--aye

Council Vice-President Farrar--aye

Council President Budway---aye

Councilman D'Agostino-aye

Councilman Salisbury-aye

Motion passes; Public Hearing is open.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to dispense with the reading of and approve the first reading of the ordinance for the Town's Drug and Alcohol Policy.

Town Solicitor D'Agostino explained to the Council that the Town has received a letter for RIDOT regarding the ownership of Central Ave. He said that the letter stated that Central Ave from the Johnston line to East Road is not owned by the State; therefore, it is a Town road and the Town does have jurisdiction over it. This was a problem in the past because the Council did not feel that they had the jurisdiction over the road and therefore could not make it and a no-thru trucking road.

Councilman Salisbury said that he still feels that it is a State road, but besides that he feels that if we shut down Central Ave from trucking all that is going to do is shift the traffic over to William Henry Road. He said that he does not feel that it is legal to cut off all access. He said that a State Law mandates that no truck carrying hazardous materials go through the reservoir.

Council President Budway said that he received calls about speeding trucks on Central Ave. He has spoken to the Police Chief Mack and he said that he would increase the patrols in that area to try to cut down on the speeding.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to table the second reading of the No Thru Trucking Ordinance-Central Avenue.

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

Councilman D'Agostino-aye

Councilman Winfield-aye

Councilman Winfield-aye

Council Vice-President Farrar-aye

Council President Budway-aye

Councilman Collins-aye

Councilman Salisbury-aye

Motion passes the Public Hearing is closed.

During discussion and or approval, the agreement with RIDEM for the Town link on the wastewater information system website program was discussed.

Councilman Salisbury said that he know this was done with the best intentions, but feels that it will grow and the eventually the government will be requiring that all septic systems be tested yearly. He feels that this is an invasion of your property rights.

Cindy Gianfrancesco, Conservation Commission member said that this program is being implemented to propose a voluntary septic system inspection and maintenance program and required inspections and maintenance agreements on all innovative and alternative systems. She said that on these special systems this is a requirement and this program will be able to tract their compliance. It will also help prevent ground water contamination from systems that are not being maintained properly. She also told the Council that if the Town does not enter into this agreement, the residents of the Town will not be eligible for low interest loans for repair or replacement of their septic system.

Council President Budway said that he felt the same way as Councilman Salisbury did at first, but then he spoke to Ms. Gianfransico and now has changed his mind. He feels that the infringement on property owners rights is less injurious than the possible damage to the ground water. He now feels the Council should support this.

Councilman Winfield said that his thoughts echo Councilman Salisbury's; he said that government is getting too involved in private matters, but he is weighing this against the possibility of living near someone with a failed septic system.

Motion made by Council Vice-President Farrar, seconded by Councilwoman Knowlton and voted roll call to approve the signing of the agreement with RIDEM for the Town link on the wastewater information system website.

Councilman Salisbury-nay

Councilman Winfield-aye

Councilman Knowlton-aye

Councilman Collins-aye

Councilman D'Agostino-aye

Council Vice-President Farrar-aye

Council President Budway-aye

Motion passes with 6 affirmative and 1 negative votes.

Richard Iverson, Director of Public Works said that he would like to have the Council's permission to purchase a new Ford Escape. He explained that the money was appropriated in this year's budget. He said that the purchase price would be \$16,693. He said that his current Ford Explorer is 8 years old and has over 180,000 miles on it.

Councilman Collins asked him if he looked into purchasing a pick-up truck.

Richard Iverson said that he did but it would have costed around \$30,000 for a pickup truck. Also, the Ford Escape has better gas mileage than both a pickup truck and his present vehicle.

Councilman D'Agostino said that he feels that the Director should know what he needs for his job, and if Mr. Iverson feels that a Ford Escape is sufficient, that should be good enough for the Council.

Council President Budway said that the Town is under strict financial constraints, it is cheaper to purchase and maintain an Escape, and he feels the price is right for the intended purpose.

Councilman Winfield agrees with Council President Budway.

Councilman Collins said that Mr. Iverson will be retiring next year and maybe the new Director will not want a Ford Escape, is there any way to hold off on the purchase.

Mr. Iverson said that he thought of that but the mechanic told him that he is running on borrowed time with his present vehicle.

Council President Budway said that a vehicle will be assigned to the new Director by the Town Council.

Motion made by Councilman Salisbury, seconded by Councilman D'Agostino and voted by consent agreement to authorized Richard Iverson to purchase a Ford Escape for \$16,693.

Councilwoman Knowlton explained her plans for increasing the recycling in the Town. She explained that since we do not meet our mandated percentage, we have to pay higher tipping fees at the land fill. She also explained that when a community does

meet the mandated amount they are then able to apply for recycling grants. She feels that if we try to raise awareness about this problem and put a positive spin on it that it will help increase the percentage. She has suggested that the Town institute a "Recycling for Recreation" program. She suggested that the Town agrees to put the money that is spent on higher tipping fees into an account air marked for recreation. She feels that this will become a team effort and that everyone will win in the end.

Councilwoman Knowlton is proposing that the \$7,000 that we have to pay in extra tipping fees and what we receive from a grant for meeting our quota be placed in a restricted receipt account that can only for used for recreation.

Council Vice-President Farrar suggested that the Town might be able to use the money to sponsor July 4th fireworks.

Motion made by Council Vice-President Farrar, seconded by Councilman Collins to allow the monies to be put into a restricted receipt account to be used for recreation.

Discussion followed with Councilman Salisbury saying that he feels that the program is a great idea, but he has a problem with restricted receipts accounts. He explained that with tough economic times ahead he feels that it should just go into an account that can be used for recreation but is not mandated that it be used for recreation. He said that there might come a time in the future that the Town might need that money for other purposes.

Motion made by Council Vice-President Farrar, seconded by Councilman Collins and voted by consent agreement to amend the motion to read that the monies are encouraged to be used for recreation.

Councilwoman Knowlton asked if she needed Council permission to start to educate the school children about this new program.

Council President Budway said no and thanked her for hard work and dedication.

Motion made by Councilman Winfield, seconded Councilman Collins and voted by consent agreement to pay early expenses of \$220,495.78 regular Council expenses of \$11,970 and supplemental Council expenses \$89,355.58., for a total of \$321,821.36.

During Council remarks Council Vice-President Farrar wanted to thank everyone including the Police, EMA personnel, Public Works personnel and the Town Clerks department for making the Art Festival such a success.

Councilman Winfield said that it is refreshing to see some many residents in the audience this evening and urges them to keep coming and sending emails with their questions and concerns.

Councilwoman Knowlton wanted to recognize the Police Department and especially two officers Sergeant Lang and Patrolman Yeaw for the way they handled a potentially explosive police call. She said that she did write a letter of commendation to the Chief and would like for it to be placed in their service folder.

Councilman Salisbury said that the first informational meeting in regards to the School project was held this week at Hope School. He said that it was fairly well attended and wanted everyone to know that the web site will be up and running in a couple of days.

Councilman Salisbury asked Town Clerk Long to contact the Town of Bristol regarding a new noise ordinance that they have enacted that does not need a decibel monitor. He feels that there are many times when something is too loud but it is hard to have the monitor at your disposal. He would like to get a copy and have the Council review and maybe make changes to our current noise ordinance.

Councilman Salisbury said that he has a copy of the Lawton Farm Management Plan that was developed by the Conservation Commission in 1990, which states that the 15 acre parcel will be used for active recreation (i.e. soccer fields).

Council President Budway wanted to thank the residents for attending this evening and assured them that they will be notified when the special meeting dealing with Lawton Farm will be held.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by a roll call vote to adjourn to closed session at 9:20 PM and to allow Ken Borden, Terry McFadden, Karen Beattie, Town Clerk Long, Ted Richard, Webb Collins (via telephone) and Ted Przybyla (via telephone) to attend.

Councilman Salisbury-aye

Councilman Collins-aye

Councilman Winfield-aye

Councilwoman Knowlton-aye

Councilman D'Agostino-aye

Council Vice-President Farrar-aye

Council President Budway-aye

Motion passes the Council is adjourned to closed session.

Reconvened at 11 PM.

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar and voted by consent agreement to adjourn at 11:01 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.

Please refer to electronic tape for complete discussions.

Attest:

Margaret M. Long, Town Clerk