

A regular meeting of the Town Council held for the Town of Scituate on Thursday, February 14, 2008 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:37 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 --absent	Council Vice-President Farrar -- present
Councilman Collins -- present	Councilman Winfield--present
Councilwoman Knowlton -- present	Councilman D'Agostino --present
Council President Budway – present	

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

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

Motion passes; Public Hearing is now open.

Judy Loven, Board of Directors of Western RI Home Repair Program was present to answer any questions on the Community Development Block Grant application.

Judy Loven gave a brief history of the Western RI Home Repair Program, and the Community Development Block Grant. She said the larger cities and towns apply for these grants directly, but the towns of Scituate, Foster and Glocester have joined together to form Western RI Home Repair Program to ask for the grants, so there is only one administration cost. All towns ask for money individually but, they run the Western RI Home Repair Program collectively. She explained that there are six Board members, two from each Town. She further explained that since 1988, the Town has received over \$1,500,000, some of which are grants, loans and combinations of both. She said the most amount of money is for housing repairs, but that they also give money for other projects. She said that if anyone has any ideas of projects that might qualify, to contact her and she will incorporate them into the grant. She said that the Town can apply for up \$250,000 in grants; she said last year we received approximately \$77,000. Judy Loven said that some important dates to remember are March 3, 2008 which is the deadline for applications to be returned. After the applications are received they will have to go to the Planning Board to make sure that they will not conflict with the Comprehensive Plan and finally the Council will have to prioritize the applications for the final submission to the State.

Jeanne Tracey McArevey asked the Town if they would be willing to include in the grant a \$3,000 for the Community Housing Land Trust of RI Inc. She explained that this non profit organization to ensure a supply of permanently affordable housing. She

said that this program is helping communities to address their affordable housing quotas. She said that they received \$3,000 last year from the Town's CDBG grant.

Motion by Councilman Collins, seconded by Councilwoman Knowlton to approve to transfer the liquor license from Anthony E. Abbruzzi, Jr., for the premises known as Scituate Liquor Shoppe, 30 Hartford Pike, to Kim Angell and Donna Viens for premises known as Scituate Beverage, Inc., 30 Hartford Pike.

At this time Tammy Botello, the lawyer for the both parties in this transfer told the Council that she has received the objection to the transfer from various creditors. She said that once the property is transferred the Abbruzzi's will pay all of the creditors.

Mark Wallick, Esquire who has been retained by one of the creditors said that he is willing to withdraw his objection to the transfer with the stipulation of his clients being paid.

David D'Agostino, Town Solicitor suggested that the Council approve the transfer with the stipulation that all taxes and creditors be paid.

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to approve the transfer of the liquor license with the stipulation that all taxes and creditors being paid .

Motion made by Council Vice-President Farrar, seconded by Councilman Collins and voted by a role call vote to close the Public Hearing.

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

Motion passes the Public Hearing is closed.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to approve the January 10, 2008 Town Council minutes.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to approve the January 10, 2008 closed session minutes.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to approve the January 17, 2008 Special Town Council minutes.

During department reports, Town Clerk Long said that Peggy Pinkey from her office was mentioned in a publication on asylums (poor houses) in the State of Rhode Island. The publication stated that she was very helpful in their research. Town Clerk Long also mentioned that Gail Chatfield is very busy with the upcoming Presidential Preference Primary that will be held on March 4, 2008. She explained that with the race being so close between certain presidential candidates, our Primary will be one of the primaries to determine who will be running for President in November 2008. She said that this is quite ironic because usually by the time the State has its Primary, the decision has already been determined.

Judy Loven, Director of Senior Services passed out a news letter for the senior center. She said that this company will pay for the printing of the news letter and to finance it they will sell ads in it to businesses. She would like permission from the

Council to use this company. She said that it will save her time and money if she is able to use this service.

Town Council President Budway said that he is the one that told Ms. Loven about this service. He said that they do the newsletter for Cortland Place, where he is employed. He wanted to inform the Council that his employer does buy ads in the newsletter but there is no financial gain for him.

General discussion followed with Town Clerk Long being asked to have this on the March agenda for approval by the Council.

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

During audience participation, Tim McCormick, 428 Trimtown Road asked about the pro and con's for the idea of changing the Town's Fiscal year. He said that it would allow the Town to have more clarity as far as what the State funding will be. He asked if the Town would have to do a "stub auditor".

Town Treasurer Przybyla said that we would have to get a stub auditor, he also said that Mr. McCormick is right that there are a lot of pro's and con's. He said that we usually get good price on our auditors because of the time of year that our fiscal year ends. If we change, the price will be higher because everyone will be going out to bid at the same time and a company would rather bid on a larger project than on a small.

Mike Marcello, 874 Chopmist Hill Road asks if we are any closer to an agreement with the PWSB.

Council President Budway said that he can't say a lot because we are still in the middle of negotiations but that we have been having frequent and regular discussion with PWSB. He said that the closed session scheduled for this evening is to update the Council on the progress of the negotiations. He said that Ted Richard, Ted Przybyla and himself have been meeting with the principals at PWSB, and feels that they have made substantial progress.

Mike Marcello asked if the two sides have exchanged appraisals yet.

Council President Budway said that it has been done.

Rudy Bettez, Hope Furnace Road, said that the City of Providence is not hauling the sledge from the river as they always have and consequently the fish are dying.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to approve the Tax Assessors additions in the amount of \$2,193.83.

Motion made by Councilman Collins, seconded by Councilman Winfield and voted by consent agreement to appoint Bernadette Quindazzi District 5 Moderator for a term expiring January 1, 2009.

Motion made by Council Vice-President Farrar, seconded by Councilman Winfield and voted by consent agreement to appoint David Provonsil, Chief Mack, Steven Otto, Mark Ellis, Don Campbell and Dennis Gaffney as Emergency Management Agency Ex-Officio Members.

Motion made by Councilwoman Knowlton, seconded by Councilman Winfield to appoint Councilmen D'Agostino and Collins and Jeremiah Allen to the Selection Committee for the Public Works Director.

General discussion followed, Council President Budway said that only one letter of interest was received and it was received after the deadline. He explained that at a previous meeting it was voted on by the Council to have the selection committee consist of two members of the Council and one member of the general public.

Rudy Bettez, Hope Furnace Road, said that he feels that there should be two members from the public from each voting district on this committee.

Mike Marcello, Chopmist Hill Road asked if Mr. Allen submitted a letter of interest to serve on this committee.

Council President Budway said that he did not, that he contacted him. With his background in public works, he felt he would be a good person for the committee.

Motion made by Councilman Collins, seconded by Councilwoman Knowlton and voted by consent agreement to award the bid for the two new servers to Dell Inc for a bid price of \$4,904.04 each.

Town Treasurer Przybyla told the Council that this is not the lowest bid but the bid that he feels is the best. He also told the Council that he is planning on purchasing two servers so that we can backup the server off site which is the recommendation of the Town's IT person Mark DiLuglio.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint the Human Resources Committee for a term expiring February 2009. (list herewith).

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint School Space Needs Committee for a term expiring February 2009. (list herewith)

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint the Police Pension Study Committee for a term expiring February 2009. (list herewith)

Motion made by Councilman D'Agostino, seconded by Councilman Collins to approve the resolution to make English the official language of the State of Rhode Island.

General discussion followed with many people in the audience voicing their opinions.

Councilman Winfield asked Mr. Petsching if there is a bill in the Senate to compliment the House bill.

Mr. Petsching said that there is not a Senate bill. He said that the House bill has been introduced before with no resolution at the end of the session.

Councilman D'Agostino said that he felt this bill is one that he can support.

Councilman Winfield said that said that this will save money because it is expensive to print official documents in more than one language.

Mr. Carlow, of Westcott Road said that he feels that the Council should support this resolution. He feels that people should learn the language.

Rudy Bettetz, Hope Furnace Road, said that he is also in favor of this resolution.

Mike Marcello, 874 Chopmist Hill Road, said that he is concerned with this bill because in the situation of a criminal defendant that can't speak English and will not be offered a State sponsored interpreter.

Council President Budway said that he employees about 150 people and that a lot of them are from other countries. He encourages his employees to learn the language because it allows them to get better jobs. He said that he is in favor of this resolution.

Motion made by Councilman D'Agostino, seconded by Councilman Collins to approve the resolution in support of making English the State's Official language.

Mr. Petsching of Westcott Road said that he asked the Council to put this on the agenda; he said that he feels that this is an important bill at the State level.

During discussion and /or approval Town Clerk Long asked the Council to consider raising the dog license fees. She said that the Town has one of the lowest fees in the State. She said that the Council would have to approve a resolution to be sent to our State legislators to ask them to submit legislation to allow us to change the fee.

Town Clerk Long said that Chief Mack is in support of this and that she would like the legislation to allow us to raise our license fees to not to exceed \$20.00. She said that she feels the fees should be raised to \$10.00 but if we need to increase them at a later date we would not have to go back and get it approved from the state legislature.

Motion made by Council Vice-President Farrar, seconded by Councilman Collins and voted by consent agreement to put this resolution on the March agenda.

Public Works Director Richard Iverson explained to the Council about the next agenda item. He explained that last year the Town submitted a grant request to RI Historical Preservation Society to repair and reglaze the windows in the Town Hall. He said that the Town received approximately \$10,000 for the project and that the Town has to pay \$5,000 that he has in his current budget. He said that one condition of the grant is that the Town sign a Preservation Easement with the Society. He said that this is done all of the time and it does give them certain rights to restrict what the Town does with the building in regards to renovations. He is asking the Council to allow the Council President to sign this agreement so that the work can start as soon as the weather breaks.

General discussion followed with several concerns being voiced about the extent of control the Society will have. The question was asked if this agreement was reviewed the Town's Solicitor.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to table this agenda item until the preservation easement can be reviewed by the Town Solicitor.

Next on the agenda is the discussion about changing the Town's fiscal year. Town Council President Budway said that the Governor recently asked for legislation to be introduced to allow city and town's to change their fiscal year to align them more closely to the State fiscal year. He said that it will be good in the instance of knowing what we are going to get from the State as far as taxes. He said that the bill will allow

cities and towns to change their fiscal year up to October 15th. He said that the State budget is usually ratified by the end of the session, which usually is the beginning of July.

Mike Marcello, 874 Chopmist Hill Road, said that he is glad that the Council is finally thinking of changing the date. He said that he asked for this to be considered for the past eight years on the Council. He said that it might be a good idea to look at all of the collective bargaining agreements to determine the best date if we are to change the fiscal year.

Council President Budway asked David D'Agostino to research this matter to see if we need general Assembly approval to change the date.

General discussion followed with the Council determining that they are going to look into this matter further.

Motion made by Councilman Winfield, seconded Councilman Collins and voted by consent agreement to pay early expenses of \$152,096.06, regular Council expenses of \$86,273.34, and supplemental Council expenses of \$77,771.35, for a total of \$316,140.75.

Motion made by Councilwoman Knowlton, seconded by Councilman D'Agostino and voted by a roll call vote to adjourn to closed session pursuant to R.I.G.L. 42-46-5(A) 2 Litigation-Providence Water Supply Board at 9:35 PM and to allow Karen Beattie, Tom Angell, David D'Agostino, Esquire, David Provonsil, Ted Przybyla and Ted Richard to attend.

Councilman Winfield-aye

Councilman Collins-aye

Councilman D'Agostino-aye

Councilwoman-Knowlton-aye

Council Vice-President Farrar-aye

Council President Budway-aye

Motion passes adjourned to closed session at 9:35 PM.

Reconvened at 11:00 PM.

Motion made by Councilman D'Agostino, seconded by Councilman Collins 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. For complete discussion, refer to audiotape.

Attest:

Margaret M. Long, Town Clerk