

A regular meeting of the Town Council held for the Town of Scituate on Thursday, July 9, 2009 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:34pm. 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 Hanna --absent	Councilman Farrar-- absent
Councilwoman Frederickson--present	Councilman Winfield—absent (arrived at 8:05 PM)
Council Vice President Collins-present	Council President Budway --present
Councilman D’Agostino-present	

At this time John Gorham, Dexter Road, asked to address the Council about the passing of Lester “Zeke” Young. Mr. Gorham said the Mr. Young was a member of the School Committee for 12 years and served as Chairman, a member of the Clayville School Building Committee, the Planning Committee for 18 years, and the Republican Town Committee for over 34 years. He said that the only way to describe Zeke is a “Scituate Institution”. Mr. Gorham said that Mr. Young and his late wife Betty were the owners of Country Builders for many years. Zeke was very involved in community affairs; he raised prize sheep, was a veteran, a great family man and a great friend. He said that Zeke has not missed one Financial Town Meeting and he was right to the point with his questions and observations. He said the Zeke always said what he meant and meant what he said.

Mr. Gorham said that during Zeke’s tenure on the School Committee, the Committee was sued for allegedly violating a teacher civil rights. After Zeke and his fellow Committee members testified, Judge Cellier ruled that Zeke Young was frank, brutally frank and outspoken, but did not violate anyone’s civil rights. Mr. Gorham still contends it was Mr. Young’s testimony that won the case for the Town.

Mr. Gorham said men like Zeke don’t come around very often they are of a dying generation and will be missed by everyone.

Council President Budway thanked Mr. Gorham for his kind words and said that Mr. Zeke Young will be sorely missed.

Motion made by Council Vice President Collins, seconded by Councilman D’Agostino and voted by a roll call to approve the minutes of the closed session of May 14, 2009, regular meeting of May 14, 2009, regular meeting of April 9, 2009, special meeting of June 18, 2009, regular meeting of June 11, 2009 and the closed session of June 18, 2009.

Council Vice President Collins—aye	Councilman D’Agostino- aye
Councilwoman Frederickson—aye	Council President Budway - aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by a roll call to table the minutes of the closed session of June 11, 2009.

Council Vice President Collins—aye	Councilman D’Agostino-aye
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Councilwoman Frederickson—aye Council President Budway - aye

Motion passes.

During department reports, Dale Langlais, Director of Public Works said that the Hope Park was spotless after the July 3, 2009 fireworks display. He said that he would like to thank the Hope Jackson Fire Station for a job well done.

Chief Randall said that the Police Department sustained a lighting strike on July 1, 2009 which seriously damaged the computer equipment. He said that at this time they are almost up to 100% at this time. He said that at no time was there not a continuation of services. He said that he is working with the Trust for the insurance claim.

Town Council President Budway said that he would like to commend Chief Randall and the entire Police Department for their handling of the situation and the continuity of service.

Motion made by Vice President Collins seconded by Councilman D'Agostino and voted by a roll call to accept the departmental reports and place them on file:

Council Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederick son—aye Council President Budway - aye

Motion passes.

During audience participation, Tim McCormick from Trimtown Road wanted to comment on the new highway garage and the great job Dale Langlais is doing. He also wanted to comment on the new sidewalks and lights in the North Scituate village, and asked if there is any way to continue the job over the horseshoe dam.

Council President Budway said that this was being done with State and Federal funds, and we have already asked about the other end of Danielson Pike and the answer was no.

Representative Marcello said that reason the State doesn't like to add on to projects is that they have already gone out to bid so the additional work would not be bid out.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted by a roll call vote to approve the reappointment George Smith as Electrical Inspector for a term expiring July 2010.

Council Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederickson—aye Council President Budway - aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted by a roll call vote to approve the reappointment of Jeffrey Laurie and Michelle Esposito to the Juvenile Hearing Board for a term expiring July 2012.

Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederickson—aye Council President Budway

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted by a roll call vote to approve the abatements in the amount of \$1736.63 and additions in the amount of \$4977.60.

Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederickson—aye Council President Budway-aye

Motion passes

General discussion followed about the issuance of the Hawkers and Peddlers Licenses. It was agreed that both would be held until the end of the agenda.

Under discussion and/or approval, Council President Budway suggested that the Council and Budget Committee not wait until winter to start the budget process. He said that last year's budget was very difficult, and feels that if the Council can get an earlier start, it would be beneficial to everyone. He is suggesting that the Council break into 2-3 groups, with each group being responsible for different departments within Town government. He also suggested that they also split up all of the other non-government units such as the fire companies, libraries and various non profits that the Town allocates monies to. He said that these different groups sit down with the department managers and discuss in detail their budgets and collect in depth knowledge on each separate department. He is suggesting that the Council embark on this soon and come back to the entire Council in mid September with their observations and suggestions. He said that if the Council agrees that this is a good idea, he would like to be contacted by them to see what department they want to be in charge of.

Council Vice-President Collins asked if they could get statements from all of the different departments that receive money from the Town with their expenses.

Councilman Winfield said that he thought this was a very good idea.

Town Treasurer Przybyla said that he feels that this is a good idea, and he also wants to look at the tax cap from the unfrozen part of the assessment--not the frozen (i.e. elderly and PWSB).

Motion made by Councilman D'Agostino, seconded by Council Vice-President Collins and voted to form small groups of Council members to start the budget process early as was stated by Council President Budway.

Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederickson—aye Council President Budway-aye

Councilman Winfield-aye

Motion passes.

Council President Budway mentioned that he recently read an article in the Providence Journal that stated that the number of volunteers in the State of Rhode Island is lower than in other parts of the Country. He said after this he asked Town Clerk Long to get a list of all of the volunteer organizations in the Town. He said that we have a sizable list, and he would like to show appreciation to these groups and maybe at the same time increase participation. He said that he feels that the Town of Scituate has more volunteers than most other communities in the State. He is proposing forming a three member steering committee to recognize the volunteers in the Town and to try to increase participation. He is suggesting Councilwoman Frederickson, Town Clerk Long and Assistant Superintendent Fillippli to this committee.

Motion made by Councilman D'Agostino, seconded by Council Vice-President Collins and voted to appoint the above mentioned committee.

Vice President Collins—aye Councilman D'Agostino-aye

Councilwoman Frederickson—aye

Council President Budway-aye

Councilman Winfield-aye

Motion passes.

Councilman Winfield said that he recently attended monthly a meeting of the WB Community Health. He said this has been a very interesting year with the struggle between United Health Care and Blue Cross. He said that Blue Cross has decreased its premiums by 5%. He is suggesting that the Town look into the possibility of changing from Delta Dental to a self insured Delta Dental plan which could save the Town money, especially if the School Department adopts the same plan.

Councilman Winfield recused himself from the next item for discussion pertaining to the Hawkers and Peddlers licenses.

Town Solicitor D’Agostino explained to the Council that they can limit the number of Hawkers and Peddlers in the Town or be like Smithfield and do away with them all together. He said that they can impose a fee schedule where the Town charges more for non residents than for residents, and could put stipulations on how far than can be from another business and limit the activity on a license.

Council President Budway suggested that the Council set the number of licenses and set the guidelines. He suggested that Town Solicitor D’Agostino, Council Vice-President Collins and town Clerk Long sit down and try to develop a policy.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted to table the discussion on possible revisions to the Hawkers and Peddlers ordinance.

Vice President Collins—aye

Councilman D’Agostino-aye

Councilwoman Frederickson—aye

Council President Budway- aye

Councilman Winfield-recused

Motion carries.

David McEnery asked Council President Budway if he could speak. He said that he is a volunteer fireman in the Town and wants to be able to have his food truck in the Town in the event that he is needed at the Fire Station, he could close down and respond.

Council President Budway said that he appreciates his volunteering for the Town.

Councilman Winfield recused himself from the next item for discussion pertaining to the Hawkers and Peddlers licenses.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted to table the approval of the Hawkers and Peddlers licenses for John Lang d/b/a John Lang’s cart and David McEnery, d/b/a Firehouse Grill.

Vice President Collins—aye

Councilman D’Agostino-aye

Councilwoman Frederickson—aye

Council President Budway- aye

Councilman Winfield-recused

Motion carries.

Motion made by Councilman Winfield, seconded by Council Vice-President Collins and voted to table the approval of Cox Communications proposed lease agreement.

Vice President Collins—aye Councilman D’Agostino-aye
Councilwoman Frederickson—aye Council President Budway- aye
Councilman Winfield-aye

Motion carries.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted to authorize Council President Budway to sign the lease with Tower-Co since it is just a name change from Nextel.

Vice President Collins—aye Councilman D’Agostino-aye
Councilwoman Frederickson—aye Council President Budway- aye
Councilman Winfield-aye

Motion carries.

Council President Budway said that since the lighting strike at the Police Department, he has been thinking that we should take a look at all Town properties and see how well we are prepared for a natural disaster. He feels that a committee should be formed to survey the properties and have a plan in motion in case we even need it. He said that there are quite a few areas that need to be addressed and feels this committee should consist of Council members and department heads.

Councilman Winfield is recommending Richard Tucker, EMA Director.

Council Vice-President Collins suggested that Mr. Tucker be Chair of the Committee.

Council President Budway suggested that there be two Council members and members of the fire departments.

Councilmen D’Agostino and Collins offered to be on the committee.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted to appoint to the Disaster Preparedness Committee Richard Tucker and Councilmen D’Agostino, Collins and Budway.

Vice President Collins—aye Councilman D’Agostino-aye
Councilwoman Frederickson—aye Council President Budway-aye
Councilman Winfield-aye

Motion carries.

Council President Budway asked Town Solicitor D’Agostino to discuss his finding regarding ensuring that the Town is adequately protected from lawsuit and liabilities when outside contractors are doing work on Town property.

Town Solicitor D’Agostino said that we require contractors to have general liability policy. He said that it might be a good idea to increase the amount of coverage. He is suggesting that the Town have a boiler plate requirement that be posted with every bid to do work for the Town. This policy would spell out exactly what the Town requires concerning insurance, also that the town be named on their insurance policy.

Councilman Winfield said that he thought these were all very good suggestions. He said that we should also have them sign a waiver form for workers compensation.

Town Solicitor D’Agostino said that he will have a suggested document for the August meeting.

Motion made by Councilman Winfield, seconded by Council Vice-President Collins and voted by a roll call vote to approve early bills in the amount of \$129,446.82, regular bills in the amount of \$219,810.74 and supplemental bills in the amount of \$69,856.49 for a total of \$419,114.05.

Vice President Collins—aye Councilman D’Agostino-aye
Councilwoman Frederickson—aye Council President Budway- aye
Councilman Winfield-aye

Motion passes.

During Council remarks, Council President Budway wanted to thank the two Boy Scouts in the audience for attending the meeting and asked them if they had any questions.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted by a roll call to adjourn to closed session at 9:12 PM pursuant to RIGL 42-46-5 (A) 2 pertaining to collective bargaining and litigation concerning collective bargaining organization efforts of some volunteers and to allow Town Clerk Long, and Town Solicitor D’Agostino attend.

Councilwoman Frederickson--aye Councilman D’Agostino--aye
Council Vice President Collins-aye Council President Budway –aye
Councilman Winfield-aye

Motion passes.

Motion made by Councilman D’Agostino, seconded by Councilman Farrar and voted by a roll call to adjourn to closed session pursuant to RIGL 42-46-5 (A) 2 pertaining to collective bargaining and litigation concerning the Public Works contract and to allow Dale Langlais, Town Clerk Long and Town Solicitor D’Agostino attend.

Open session reconvened at 9:31 PM.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted by a roll call vote to approve the motion made in closed session to ratify the Public Works contract with the new addition of a new classification of LDO III and to have this position have a dollar an hour increase in pay.

Councilwoman Frederickson--aye Councilman D’Agostino--aye
Council Vice President Collins-aye Council President Budway –aye
Councilman Winfield-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted to adjourn at 9:32 PM and to reserve a page in the minutes book in memory of Lester “Zeke” Young, 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.

Council Vice-President Collins—aye Councilman Winfield-aye

Councilwoman Frederickson—aye

Councilman D'Agostino-aye

Council President Budway --aye

Motion passes.

Attest:

Margaret M. Long, Town Clerk

For complete discussion please refer to the audiotape.