

A regular meeting of the Town Council held for the Town of Scituate on Thursday, September 10, 2009 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 Hanna --absent	Councilman Farrar-- present
Councilwoman Frederickson--present	Councilman Winfield--arrived at 8:50 PM
Council Vice President Collins-present	Council President Budway --present
Councilman D'Agostino-present	

Motion made by Vice-President Collins, seconded by Councilman D'Agostino and voted by a roll call vote to open the public hearing.

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

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted to approve the second reading of the addition of Blue Sky Drive and Lady Slipper Lane to the stop sign ordinance.

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

Motion passes.

General discussion followed about the changes in the Hawkers and Peddlers license. Town Solicitor D'Agostino said that he had added the section about food safety and clothing. He said that he also added that it would a maximum 8 licenses.

Town Clerk Long asked if it was added to the ordinance the provision requiring a BCI check for all applicants.

Town Solicitor D'Agostino said that he had not added that but that he would add it.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted to approve the first reading of the changes to the Hawkers and Peddlers licensing ordinance.

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

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted by roll call to close the Public Hearing.

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

Motion passes

Councilmen D'Agostino and Farrar abstained from the next agenda item.

Motion made by Council Vice President Collins, seconded by Councilwoman Frederickson and voted to approve the minutes of the August 13, 2009 Council meeting with the stated revisions.

Council Vice President Collins-- aye

Councilman Farrar-aye

Councilwoman Frederickson—aye

Council President Budway –aye

Councilman D'Agostino – 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 August 13, 2009 closed session, special meeting of August 26, 2009 and the closed session of August 26, 2009.

Council Vice President Collins-- aye

Councilman Farrar-aye

Councilwoman Frederickson—aye

Councilman D'Agostino--aye

Council President Budway --aye

Motion passes.

During department reports Town Clerk Long informed the Council about letter from Erika McCormick concerning a mandatory parents/athlete assembly to be held Monday September 14, 2009 at 7 PM. Ms. McCormick said that she would love to see the Council attend to see the new direction Scituate High School is going in to tackle underage drinking and drug abuse.

Councilwoman Frederickson said that she would be attending.

Director of Public Works Langlais said that he received a bill for reimbursement for damage to a car that was traveling on Hope Furnace Road. He said that once he heard about the accident and claim he sent his men out to the sight to see the area. He said that the road is 19 feet wide at that point, which is big enough for 2 vehicles to pass.

Town Solicitor D'Agostino said that it is a State Law that an owner of a vehicle submit a bill and request for payment to the Town Council for damages. He said that the claim must be submitted with a police report. He said that there was no police report filed initially and when he did go to the Police Station, his story was a little sketchy.

Chief Randall said that the alleged accident happened on June 29, 2009, but he did not go to file an accident report until 7-8-09. He said that when the officer taking the accident report asked to see the car he said that he did not have it; it was in a shop in Massachusetts being repaired. Chief Randall said that the officer went out to the scene of the accident and asked the neighbors if they had seen or heard anything. One woman said that she helped the man get his car out of the ditch and help him pump up his flat tires. When he showed the police officer the spot, they realized that the rocks were a good 3-4 feet off the road.

Town Solicitor D'Agostino said that with the information that has presented to date, he does not feel that this case is the Town's responsibility.

David Provonsil, Building Official, said that he and Chief Randall have been contacted by State DOT regarding their comments on a new striping project that will make Danielson Pike one lane throughout Town. He said that the State DOT feels that this will lower the speed on the road thus decreasing accidents. He said that there will be turning lanes at Battey Meeting House Road and Rockland Road. He said that he would like to see a T intersection installed at Rockland Road with a stop sign installed. He said that he feels that State DOT will do this for us with our recommendation.

Councilman Farrar said that he feels that this is a great idea, and has been working on this idea for many years. He said that many people including himself have been almost hit crossing the street to get to Trinity Church. He said that if it was just one lane, then it would be better. He said that he and another gentleman purchased the signs that they currently put in the middle of the road during church services.

David Provonsil said that DOT feels that this will be a safer alternative. He said that the plans are in his office if anyone would like to inspect them.

Chief Randall said that State DOT informed him that there will be road construction on Hartford Pike to the Foster line for the next few weeks. He also told the Town Council about a program called Code Red which is an emergency contact program. He said that it is a great opportunity for Public Safety. He said that he would like to set up a time for the Council to hear a presentation from this company. He said that a representative from the company will be in the State on October 19th and 21st. He said that the School Department has a system called Alert Now which is made specifically for School Departments. He said that the company that he is speaking with now said that it will be approximately \$7000.00 per year for the entire town with a three year contract.

Council President Budway asked how is the database created.

Chief Randall said that he believes that the majority is from public records. It was decided that Wednesday October 21, 2009 at 7 PM at the Community House so that the Chief can invite the fire and rescue personnel.

Councilman D'Agostino said that he visited the Police Station recently to access the damage from the lighting strike. He said that they are operating properly to a point. He said that a lot of functions still are not up and running. He said that it is time that we get the place fixed the way it should be. Councilman D'Agostino said that he would be willing to act as a liaison.

Town Treasurer said that the computer system should be up graded to current standards.

Councilman Farrar asked Chief Randall if the Town of Foster is paying their share of the animal shelter expenses.

Chief Randall said that he is not sure and Town Treasurer Przybyla said that he will look into it.

Council President Budway said that during the monthly Department Head meeting Chief Randall said that he is currently revising a security policy for the Police Station. Council President Budway has instructed all Department Heads to formulate their own policy and they will be discussed at the next Department Head meeting.

Senior Services Director Loven said that it has been determined that it will be less expensive to fix the old van. She said that she hopes it will hold up until we can save more money for a new van.

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

Motion passes.

During audience participation Tim McCormick 428 Trimtown Road asked the Council if they have thought of having the over head lights turned off going through the village, because the new period lamps look so beautiful.

Council President Budway said that was brought up at the last meeting and David Provonsil is working on it.

Mr. Provonsil said that the Chief of Police, Bobby Napier, DOT and himself are all working on it.

Council Vice-President Collins recused himself from the agenda items abatement and additions.

Motion made by Councilman Farrar, seconded by Councilwoman Frederickson and voted by a roll call vote to approve the abatements in the amount of \$4081.46.

Council Vice President Collins—recused Councilman D'Agostino-aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye

Motion passes.

Motion made by Councilwoman Frederickson, seconded by Councilman D'Agostino and voted to approve the additions in the amount of \$1,420.16.

Council Vice President Collins—recused Councilman D'Agostino-aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted to approve the Art Festival Licenses as submitted.

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

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted by a roll call vote to table the Hawkers and Peddlers licenses for both Firehouse Grill and John Lang's Cart.

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

Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted to approve the joint poll location on Betty Pond Road, with the recommendation of the Director of Public Works Langlais.

Motion made by Councilman Farrar, seconded by Council Vice-President Farrar and voted to appoint Vincent Mitola, Jr. as an alternate member of the Plan Commission for a term expiring January 2010.

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

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted to authorize Town Clerk Long to approve late Art Festival licenses.

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

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted to authorize the Scituate Art Festival Committee use of the Village Green on October 9, 10, 11 and 12, 2009. Councilman Farrar wanted to thank them for supplying a copy of their insurance.

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

Motion passes.

Councilwoman Frederickson said that the Volunteer Appreciation/Recognition Committee met and decided that would like to have a cookout on October 24, 2009 from 1-4 PM at the chopmist Hill center. She said that Committee decided on serving hot dogs and pop corn. She said that next year the celebration will be much larger but since the year is quickly coming to an end.

Councilman Farrar said that he would gladly help out.

Councilwoman Frederickson also mentioned that Chris Caluori from the Art festival Committee has offered a spot in the gazebo to hand out flyers on different volunteer organizations in the Town. She thought this will be a good idea but will need people to man the table and answer questions.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted to approve the bid award for the Potterville Fire Department roof to the low bidder Aboveboard Contracting for a price of \$19,900 with the recommendation of the Director of Public Works, Dale Langlais.

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

Motion passes.

Nothing was discussed about the noise ordinance.

Town Building Official Provonsil said that the contractor for the Tasca Field renovation project decided not to ask for an additional payment at this time.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar to table the discussion of the Delta Dental contract.

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

Motion passes.

Council President Budway said that he has split the Council into groups to start the budget process. He explained that:

1. Councilman D’Agostino and Council Vice-President Collins assignments were Police, Potterville and Chopmist Hill Fire.
2. Councilmen Farrar and Hanna assignments were Public Works and Building Inspection/Zoning.
3. Councilmen Winfield and Budway assignments were Libraries and Senior Center.
4. Councilwoman Frederickson and President Budway assignments were Treasurer, Town Clerk, Hope Jackson and North Scituate Fire departments.

He said that the meetings with the department heads should be completed by September 30, 2009.

Councilman Farrar recused himself from the paying of the bills.

Motion made by Councilman D’Agostino seconded by Council Vice President Collins, and voted by roll call to pay early bills in the amount of \$103,862.51, regular bills in the amount of \$157,275.09 and supplemental bills in the amount of \$166937.32.

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

Motion passes.

During Legislative remarks, State Representative Marcello informed the Council about the Governor’s plans to cut the last installment to the cities and towns for the car taxes. He explained that it will need the approval of the legislature, and he doesn’t feel he will get that approval. He said that many people at the State House have a problem with taking money away from communities during a budget year. He also said that he delivered 4 lap top computers to the senior center that he received from the Auditor General. He said that he received a \$1,000 grant that he gave to the Human Service Director, Allison Nugent for heating assistance.

Representative Marcello suggested that the Council should close the meeting with a moment of silence and to have a page reserved in the minutes book in remembrance of the victims of the 911 Terrorist Attack.

Motion made by Councilman D'Agostino, seconded by Council Vice-President Collins and voted by a roll call to adjourn to closed session at 8:41 PM pursuant to RIGL 42-46-5 (A) 2 pertaining to collective bargaining and litigation concerning collective bargaining organization efforts of some volunteers and pursuant to RIGL 42-46-5 (A) 4 as it pertains to the allegations raised in the Channel 12 investigative report aired Friday, August 28, 2009 regarding fire department use of water from the town of Johnston's hydrant system and to allow Town Clerk Long, Town Treasurer Przybyla, Chief Randall and Town Solicitor D'Agostino attend.

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

Councilwoman Frederickson—aye Councilman Farrar-aye

Council President Budway --aye

Motion passes.

Open session reconvened at 8:55 PM.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted to adjourn at 9:00 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.

Council Vice-President Collins—aye Councilman Winfield-aye

Councilwoman Frederickson—aye Councilman D'Agostino-aye

Councilman Farrar-aye Council President Budway --aye

Motion passes.

Attest:

Margaret M. Long, Town Clerk

For complete discussion please refer to the audiotape.