

A regular meeting of the Town Council held for the Town of Scituate on Thursday, April 13, 2006 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:31 PM. Council President Richard 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 Farrar-- present
Councilman Marchant -- present	Councilman Winfield--present
Councilman Marcello -- present	Council Vice-President Budway --present
Council President Richard -- present	

Chief Mack introduced to the Council Peter McNerney from Redflex Traffic Systems who will give a presentation.

Mr. McNerney said that his company's product is a high-resolution digital red light and speed enforcement camera system.

Chief Mack said that there are a couple of intersections in the Town that he feels would benefit from such a system being installed to insure compliance and safety.

Mr. McNerney gave a brief background of the product, he said that it works in every kind of weather condition and that it does not take a picture until a violation occurs. He also said that there are no out of pocket costs for the Town and that there will be a cost neutral contract. In other words, the Town will never have to pay a cent.

Mr. McNerney said the video will be reviewed by one of Scituate's Police Officers and that no ticket will be issued until they ok it. He also said that this is a non-criminal offense and will not go against the person insurance. He said that the ticket will be issued to the registered owner of the car and not necessarily to the driver. He said that if someone receives the ticket and they were not driving they could appeal it. He said that the system is all web based and the violations can be paid for on line.

Councilman Salisbury asked if the State receives any of the money generated.

Mr. McNerneys said the State would not receive any of the ticket money.

Mr. McNerney said that what he would like to have is the Council to approve for him to do an intersection analysis to see what type of violations are occurring. If there are sufficient violations to warrant this type of system, the Council would enter into a contract with him.

Council Vice-President Budway asked what intersections are being considered.

Chief Mack said the Route 6 at the IGA and Route 116 and Route 6 intersections.

Councilman Marcello asked if the law allows for the violation to go to the registered owner and not the driver.

Mr. McNerney said that the law does allow for it because it is a non-criminal offense.

Councilman Marcello asked if this is a revenue generator or a safety procedure.

Mr. McNerney said it is both.

Councilman Winfield asked the Council if they want to proceed with this because he doesn't agree with this proposition.

Chief Mack asked what the next step is, if we have to send out an RFP for this.

Peter McNerney said the best course of action is to send out an RFP, and if his company wins the bid, he will do the studies to see what the revenue stream will be like.

Councilman Marcello said before he authorizes and RPF, he would like more information.

Council President Richard suggested that this proposal be brought before the Traffic Safety Committee for their input.

Council Vice-President Budway suggested that the Traffic Safety Committee evaluates the proposal and come back to the Council with their recommendation.

Motion made by Councilman Marchant, seconded by Council Vice-President Budway and voted on by consent agreement to approve the regular Council minutes of February 9, 2006 with the stated corrections.

Motion made by Councilman Marchant, seconded by Councilman Marcello and voted by consent agreement to approve the regular Council minutes of March 9, 2006 with the stated corrections. Councilman Farrar said that he did not vote on the minutes since he didn't attend the meeting.

Motion made by Councilman Marchant, seconded by Councilman Winfield and voted by consent agreement to approve the minutes of the closed session minutes of February 9, 2006 with the stated corrections.

During Department Reports, Councilman Marcello asked Mr. Iverson if he has the results from the RFP for cleaning services.

Mr. Iverson said that instead of having an RFP he called around and got competitive prices. He said the prices range from \$16-\$18 per hour.

Councilman Salisbury asked if this was full-time or part time work.

Mr. Iverson said this would be for part time work, extra work that Norman Auger can not perform because of lack of time. The scope of this work would be for large jobs such as a spring cleaning or washing the rugs.

Councilman Marcello asked Mr. Iverson if the Town has met the recycling quota.

Mr. Iverson said that we still have not, but that he is working with Resource Recovery to implement an education pamphlet.

Councilman Marcello asked if Mr. Iverson has had an employee out for a year due to a work related injury. If so, how is Mr. Iverson paying him.

Mr. Iverson said that it has been 9 months and the employee is out on a work-related injury.

Councilman Marcello said that he thought that the Council should have been informed about this and is wondering if the employee is being paid their full salary.

Town Treasurer Przybyla said that this is the way the Town handles Workers Compensation cases.

Councilman Marcello said that he thought the Town did not have Worker's Compensation Insurance.

Town Treasurer Przybyla said that Town self-insures for this.

Public Works Director Iverson said this is way the Town handles it when an employee is injured on duty.

Councilman Marcello asked if there has been any medical review by the Town into this employees injury.

Mr. Iverson said that he would like to have the same company handle his injured on duty cases that the police department has. He feels that then there would be an independent review of each case.

Council Vice-President Budway told the Council that the Town has been handling these cases in this manner for quite some time and there has never been a problem. He said that handling it this way is a lot less expensive for the Town.

Councilman Marcello said that since the Town has no written policy and these cases are handled case by case, if there were a catastrophic event, the Town would be in big trouble.

Councilman Marcello asked Building Official Provonsil about the situation on Pine Hill Road.

Mr. Provonsil said that he has tried to contact the resident but she is very reluctant to speak with him. He said that he has had this problem before and the only people that she will answer the door for is the Police Department. He said that he will try to contact her again.

Councilman Salisbury asked Mr. Provonsil about the zoning violations on Danielson Pike.

Mr. Provonsil said he has been working very hard on this case with the Police and Animal Control Officers and it will be cleaned up shortly at the Town's expense and then the Town will put a lien on the property for the cost of the cleanup.

Councilman Marcello asked Chief Mack if he has heard from the Town of Foster in regards to the Animal Shelter.

Council President Richard asked if there was a cut off date for their decision and if not, we should set one.

Chief Mack said no but he said we would know their answer when their budget is passed.

Councilman Marcello asked Town Treasurer Przybyla if he has complied list of budget cuts from the municipal side like he asked for last meeting.

Mr. Przybyla said he will get that for Councilman Marcello.

Councilman Winfield asked if he has received the pension actuarial studies from the State.

Mr. Przybyla said that they should be in the Council's mailboxes shortly.

Senior Services Director, Judy Loven, said that the meal site is very busy.

Councilman Marcello asked if she has enough help at the meal site.

Judy Loven said that she feels that she has enough help at the present time but said that she will let the Council know when she needs more help.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to place and file all department reports.

Motion made by Councilman Marcello, seconded by Councilman Marchant to appoint Patt Russo, Tax Collector for a term expiring June 2006. Discussion followed.

Councilman Marcello said that he thought that Ms. Russo was the best-qualified candidate after interviewing the four candidates on the list provided by the Town Treasurer. He feels that Ms. Russo has been serving in the capacity of Tax Collector for the past three months and doing an excellent job. He also said that Ms. Russo has been clerk to the Tax Collector for many years and has done an excellent job.

Council Vice-President Budway said that he interviewed two of the four candidates for the job. He did not interview Ms. Russo or Ms. Guglielmi, and feels that Ms. Russo has fine qualities, but would support Ms. Guglielmi for the job because she had a better resume.

Town Treasurer Przybyla said that he would support Ms. Guglielmi for the job because of her extent of experience and diversity, and that she has worked for the Town for a longer period of time. He said that Ms. Russo has performed admirably as Ms. Santilli's assistant. He said that the final decision was between Ms. Russo and Ms. Guglielmi because they both live in Town and already work in the Town Hall, and were the two most qualified candidates.

Councilman Farrar said that since he was unable to interview the four candidates, he would like to hear from the Council members that did conduct interviews on their impressions of the candidates.

Council President Richard said that this is a very difficult decision. He said that he is friends with both Ms. Russo and Ms. Guglielmi. He feels that Ms. Guglielmi has a lot more financial background; however, during the interview process, Ms. Russo came out head and shoulders above the other candidates. He said that he does not vote unless there is a tie, but if that happens, his vote would be for Ms. Russo.

Councilman Winfield said that all four candidates were excellent but he would vote for Ms. Guglielmi because of her background and that the Town Treasurer is recommending her.

Councilman Salisbury did not interview the candidates but said that both are great employees but he will support Ms. Guglielmi for the job.

Councilman Marcello said that Ms. Guglielmi might have worked for more years but, on a part time basis, but that shouldn't be compared to a full time employee already working in the department. He said that Ms. Russo already knows the job and the computer system. He said he feels that Ms. Russo is definitely the most qualified candidate and that she has already proved that by performing the job for the last three months. He said that Ms. Russo has already proved that she is able to work well with others, and he feels that promotions should be from within the department. He said that Council Vice-President Budway has stressed that point when the Town Clerk wanted to hire someone not from her department.

Town Council President said that we did our duty and set up the interview process, he said that all Council members had the opportunity to interview the candidates.

Councilman Marchant said that he will support Ms. Russo for the job because he feels that it is important to hire from within the department. He said that he didn't think it would be fair to hire a part time employee from another department to be the

department head, especially since the other employee has already been doing an excellent job. He said it sends a bad message and feels that would ruin the moral of the employees.

Councilman Farrar said that his has received a lot of correspondence regarding this issue. He feels that this will be a very hard decision because he usually likes to let the department head hire his or her own employees. He said that since this is a Council appointment, he will have to do what he feels is best for the Town and employees. He feels that since Ms. Russo has already demonstrated her ability to do the job, that she should be promoted to Tax Collector.

Councilman Marcello asked for the question to be called and to have a roll call vote.

Motion to appoint Ms. Russo Tax Collector for a term expiring June 2006.

Councilman Salisbury-nay	Councilman Winfield-nay
Councilman Farrar-aye	Councilman Marcello-aye
Councilman Marchant-aye	Council Vice-President Budway-nay
Council President Richard-aye.	

Motion carries with Council President Richard breaking the tie.

Motion made by Councilman Farrar, seconded by Councilman Marchant and voted by consent agreement to support the resolution for Arbor Day 2005.(here within)

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to reappoint Bobby Napier as the Narragansett Street Light Coordinator for a term expiring April 2007.

Motion made by Councilman Farrar, seconded by Councilman Marchant to reappoint Michael Marcello, John Marchant and John Winfield, Jr. to the Growth Management Study Committee for a term expiring April 2007.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by roll call to issue a Hawkers and Peddlers license to Jorge L. Rodrigues for an ice cream truck with the provision that he not set up on Town property.

Councilman Salisbury-aye	Councilman Winfield-aye
Councilman Marcello-nay	Councilman Farrar-aye
Council Vice-President Budway-aye	Councilman Marchant-aye

Motion passes with 5 affirmative votes and one negative vote.

Councilman Marcello wanted to explain that he is not against the issuance of the license but does not believe the conditions on the license are legal.

Motion made by Councilman Marcello, seconded by Councilman Marchant and voted by consent agreement to accept abatements in the amount of \$342.07.

Motion made by Councilman Salisbury, seconded by Councilman Marcello and voted by consent agreement to give the Building Official, David Provonsil the authority to award the bid for the Needs Assessment Report to the lone bidder Tony Lachwicz for the price of \$23,500.00 after making some phone calls to see if any other company is interested and to further negotiate the price.

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

Councilman Farrar-aye

Councilman Marchant-aye

Councilman Marcello-aye

Councilman Winfield-aye

Councilman Salisbury-aye

Council Vice-President Budway-aye

Council President Richard-aye

Motion passes the Public Hearing is now open.

Council President Richard stated that there are three items on the Public Hearing, the first reading of the inventory, water tax ordinance, the first reading of the ordinance to abolish the Class C liquor license in the Town, and discussion of the CDBG grant.

Council Vice-President Budway submitted a list of recommendations from the ad hoc committee for the CDBG FY06 applications.(list herewith). He said that the members of the Committee are here and include himself, Councilman Farrar, Judy Loven and Ralph Groves. He said that the Town does not always request the full amount available but this year our grant proposal is actually over.

Ralph Groves said that he has suggested that the roof be repaired on the Hope Jackson Fire Station and that money be secured to help pay for the stairway at Hope Park.

Ellie Tetreault, Western Rhode Island Home Program Manager feels that the roof at the Hope Jackson fire station will not be covered since they do not serve low/moderate income families exclusively. She also suggested that instead of asking for more money for the Hope Housing Rehabilitation Program to ask for that money to be added to the Town wide proposal. She said that since this fund has not expended the entire amount of the grants for the past few years they probably will not fund it again.

Councilman Marcello complemented the group on all of the hard work they are doing.

Councilman Marchant suggested if the proposal for the Hope/Jackson Fire station is removed from the grant proposal, he would like to see money to purchase flu vaccines put back in. He said that he can get matching funds from BC, United Health and other insurance carriers and with this grant they could vaccinate all of the school children and seniors in the Town.

Ralph Groves said that he doesn't think it is a good idea to get rid of the rental rehabilitation program in Hope. He feels that we should leave some money requested in the final proposal. He suggested reducing the amount from \$40,000 to \$15,000 for the Hope rental rehabilitation program, and if the proposed roof is not approved, to buy the vaccines with the money.

Council President Richard wanted to thank the Committee and Ms. Tetreault for all of their hard work and dedication.

Motion made by Councilman Winfield, seconded by Councilman Marchant and voted by consent agreement to table the first reading of the inventory/water tax ordinance.

Councilmen Winfield and Marcello recused himself from the next agenda item.

Motion made by Councilman Salisbury, seconded by Councilman Marchant and voted by consent agreement to accept the first reading of the ordinance to abolish Class C liquor license in the Town.

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

Councilman Farrar-aye	Councilman Marcello-aye
Councilman Winfield-aye	Councilman Marchant-aye
Councilman Salisbury-aye	Council Vice-President Budway-aye
Council President Richard-aye	

Motion passes the Public Hearing is closed.

During discussion and /or approval

Mr. Provonsil explained to the Council that Mrs. Randall does not want to buy the land at 56 Hope Furnace Road but Mr. Greenwood does. He suggested selling the land to Mr. Greenwood with all of the same stipulations, and that he will have to grant an easement to Mrs. Randall.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to allow the sale of Town owned land at 56 Hope Furnace Road to Mr. Greenwood with the stipulations that he grant an easement to the land owned by Mrs. Randall, that the sale price is \$10,000, that the Town except no liability for the land, that the land can never be divided into another lot, that it can't be built on and that the closing be within three months.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to table the discussion on the eminent domain policy and the request for a third dog.

Motion made by Councilman Marchant, seconded by Councilman Salisbury and voted by consent agreement to pay early expenses-old budget of \$124,346.27, early expenses new-budget of \$217,047.71, regular Council expenses old-budget of \$45,166.02, regular Council expenses new budget of \$55,461.59, supplemental Council expenses old budget of \$25,179.90, supplemental Council expenses new-budget \$3,449.90 for a total of \$470,651.39.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by a roll call vote to adjourn to Closed Session pursuant to R.I.G.L. 42-46-5(A) litigation, Providence Water Supply Board and R.I.G.L. 42-46-5(A)) collective bargaining, Public Works Department at 10:10 PM.

Councilman Marcello-aye	Councilman Winfield-aye
Councilman Salisbury-aye	Councilman Marchant-aye
Councilman Farrar-aye	Council Vice-President Budway-aye
Council President Richard-aye	

Motion carries the Council is now in closed session.

Reconvened at 10:53 PM.

Motion made by Councilman Marcello, seconded by Councilman Salisbury and voted by consent agreement to adjourn at 10:55 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