

**NARRAGANSETT TOWN COUNCIL
REGULAR TOWN COUNCIL MEETING
JULY 2, 2018 MINUTES**

At a Regular Meeting of the Town Council of the Town of Narragansett held on
Monday, July 2, 2018 at 7:30 p.m., at the Narragansett Town Hall.

Present: Susan Cicilline-Buonanno, President
Matthew M. Mannix, President Pro Tem
Jill A. Lawler, Member
Michael T. Moretti, Member
Patrick W. Murray, Member
James M. Manni, Town Manager
Mark A. Davis, Town Solicitor

Susan Cicilline-Buonanno, President calls the meeting to order and leads those in attendance in Pledging Allegiance to the Flag.

APPROVAL OF MINUTES

None

SHOW CASE/PRESENTATIONS:

Update regarding Galilee Advisory Leasing Committee -PRI X Inc. /Procaccianti Group
President Pro Tem Matthew Mannix updated the council on the State of Rhode Island Galilee Advisory Leasing Committee meeting held in July 2017. He explained that PRI X Inc./ Procaccianti Group requested the State of Rhode Island to amend the state lease to allow a

parking lot. He noted that at the July 2017 meeting the proposal was reviewed only. He said another meeting has not been scheduled to meet to discuss the proposal again.

OPEN FORUM:

Open Forum is now held and the following individuals address the Council, viz:

David Winter of Boon Street addressed the council on parking restrictions, traffic and safety issues in the summer months. He also spoke on using 500 drones instead of fireworks;

Stanley Wojciechowski of Narragansett addressed the council on the four unrelated and noise and cost recovery ordinances; Richard Van Germeersch of Osceola addressed the council on

changing the name of the North Beach Clubhouse back to Canonchet. He also spoke of the 13th century Narragansett Village found in the salt pond area into the fabric of the town Catherine

Celeberto of Earle's Court spoke of the four unrelated court case filed in Superior Court;

Nancy Crowley of Conch Road addressed the council on the lease amendment in Galilee regarding a proposed parking lot; Shelly Weintraub, President of FOG (Friends of Galilee)

addressed the council on the future of Galilee and the new committee called FOG.

Michael Moretti pulled Item #11 from the agenda.

PUBLIC HEARINGS:

A PUBLIC HEARING for consideration on the application from Narragansett Bistro LLC,

Edward Tori and Julia Meisler, 904 Boston Neck Road, Narragansett RI, Plat NH,

Lot 133/1.

This applicant was approved by the town council on June 4, 2018, to hold a public hearing to consider a new liquor license in Narragansett for Narragansett Bistro LLC, Edward Tori and Julia Meisler at 904 Boston Neck Road, Plat NH, Lot 133/1

At the time the application was filed, this property did not hold a special use permit from the Zoning Board of Review to serve alcohol. On May 17, 2018, the Zoning Board of Review held a public hearing and granted relief for a special use permit for “Lunchroom or Restaurant with Alcoholic Beverages Special Use Permit” with the following conditions:

1. That all elements of the parking plan and floor plan are completed in substantial conformance with the Plans submitted with this project. Once a certificate of Occupancy has been issued, this project shall be considered complete; any and future Building Permit Applications that do not otherwise require Zoning Relief shall not be required to seek an amendment to this condition.
2. That the relocated dumpster is property screened.

Matthew Mannix moved Michael Moretti seconded and it is voted to OPEN the PUBLIC Hearing.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Susan Cicilline-Buonanno aye
Patrick Murray recused himself from the public hearing.

Edward Tori and Julia Meisler are sworn in by the town Solicitor.

President Buonanno commented that a few people had issue with noise but understand they were not requesting any entertainment.

Edward Tori address the council on the proposed restaurant. He stated it would be a 40-seat restaurant with a 10-seat bar. He noted that parking would be available in the back of the property.

He explained the dining room will be open until 10:00 p.m. and he did not expect a large bar or rowdy crowd at the establishment. He expected to close by 11:00 p.m. or midnight and did not see noise as an issue.

Proponents and Opponents are called and the following individuals were sworn in and testified:

Catherine Celeberto and Win Hames spoke.

Michael Moretti moved, Matthew M. Mannix seconded and it is so voted to CLOSE the PUBLIC HEARING.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Susan Cicilline-Buonanno aye

Jill Lawler moved, Michael Moretti seconded and it is unanimously so voted to APPROVE the application from Narragansett Bistro LLC, Edward Tori and Julia Meisler, 904 Boston Neck Road, Narragansett RI, Plat NH, Lot 133/1. For a Class BV Alcohol Beverage license.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Susan Cicilline-Buonanno aye

The Zoning Board of Review attached the following restrictions on the Special Use Permit.

1. That all elements of the parking plan and floor plan are completed in substantial conformance with the Plans submitted with this project. Once a certificate of Occupancy has been issued, this project shall be considered complete; any and future Building Permit Applications that do not otherwise require Zoning Relief shall not be required to seek an amendment to this condition.
2. That the relocated dumpster is property screened.

PLEASE SEE STENOGRAPHER TRANSCRIPT FOR MORE DETAILS

CONSENT AGENDA:

All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Town Council and were enacted by one motion.

- 1. A MOTION to APPROVE, RATIFY, and CONFIRM Change Order No. 1 with DiPrete Engineering for a Phase 1 Archaeological Survey for the Phase 4A Bike Path Project, in the amount of \$8,060.00.**

APPROVED, RATIFIED, and CONFIRMED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 2. A MOTION to APPROVE the request from St. Thomas More Parish for a prayer service followed by a gathering around a fire pit at Gazebo Park on Thursday August 16, 2018 from 7:00 pm to 11:00 pm. Subject to state and local regulations.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 3. A MOTION to APPROVE the contract extension for Miscellaneous Water Supplies with four (4) vendors: E.J. Prescott, Inc.; G&L Water Works Supply Corp.; Warwick Winwaterworks Company; and HD Supply Waterworks at their quoted percentage discount off list prices for a one-year period, ending May 14, 2019, under the same terms and conditions as the original contract.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 4. A MOTION to APPROVE the contract extension for Security System Program and Design Services with Grist Security Consulting, Inc. at their quoted hourly rates, for a one-year period ending April 3, 2019, under the same terms and conditions as the original contract.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 5. A MOTION to APPROVE the annual preventative maintenance contract for the Fire Department's Plymovent Source Capture Emergency Vehicle Exhaust Fuel Removal System with Air Cleaning Specialists of New England, LLC in the amount of \$2,796.00 and authorizes the Town Manager to sign the contract after review by the Town Solicitor.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 6. A MOTION to APPROVE the purchase of 2,000 digital citations, lease of six (6) Digital Pens and six (6) Licenses from Velosum, in the amount of \$4,236.00.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 7. A MOTION to APPROVE a proposal from Fuss & O'Neill for professional services in connection to the Bluff Hill Cove Illicit Discharge Investigation, in the amount of \$4,462.00.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,
Susan Cicilline-Buonanno aye

- 8. A MOTION to APPROVE the software maintenance/service agreement for the Judicial Case Management System (JCMS) used by Municipal Court from Curia Systems, Inc., in the amount of \$5,938.00 for FY 2018/2019.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,

Susan Cicilline-Buonanno aye

- 9. A MOTION to APPROVE the annual contract for technical support for the Fire Department's computer software system with TriTech Software Systems (formerly Information Management Corporation/IMC), in the amount of \$6,644.00 and authorizes the Town Manager to sign the contract after review by the Town Solicitor.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,

Susan Cicilline-Buonanno aye

- 10. A MOTION to APPROVE a Miscellaneous License application for a holiday license for William Tetlow d/b/a Bay Trader, 294 Great Island Road, Narragansett, RI, subject to local and state regulations.**

APPROVED (Mannix-Moretti 5/0)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,

Susan Cicilline-Buonanno aye

OLD BUSINESS: None

NEW BUSINESS:

11. A MOTION to INCLUDE the Pier Liquor Store retail space in the purchase of the Belmont Market in the Pier Market Place in order to receive maximum reimbursement from the State Library Board.

This item was removed from the agenda and the town council took no action.

Matthew Mannix moved, Susan Cicilline-Buonanno seconded and it is unanimously so voted to discuss #14 under New Business as the first item. (See #14)

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

12. A MOTION to ADOPT a Resolution opposing House Bill 2018- 7425 to disband the Smithfield Land Trust.

This resolution supports and protects 19 municipal Land Trusts across the state of Rhode Island. The Land Trusts preserve and protect areas in their municipalities through the acquisition of properties and conserve and protect open space lands, farmlands, natural areas, historic resources and other special places in the community. This resolution will promote public access and public trust. It will allow the municipal Land Trusts to remain permanently protected.

Michael Moretti moved, Patrick Murray seconded and it is unanimously so voted to ADOPT a Resolution opposing House Bill 2018- 7425 to disband the Smithfield Land Trust.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

A RESOLUTION IN OPPOSITION OF HOUSE BILL 2018-7425 RELATING
TO THE SMITHFIELD LAND TRUST
RESOLUTION NO. 2018-05

Whereas Narragansett Land Conservancy Trust is one of 19 municipal land trusts in Rhode Island established since 1986 by legislation or municipal charter to permanently conserve open space lands, farmland and natural areas in their municipalities through the acquisition of properties and conservation easements; and

Whereas municipal land trusts have protected and now steward many important open space lands, farmlands, natural areas, historic resources and other special places in their communities; and

Whereas Narragansett Land Conservancy Trust and other municipal land trusts depend on public confidence that the lands they conserve will remain permanently protected; and

Whereas Narragansett Land Conservancy Trust and other municipal land trusts must have the confidence and trust of property owners when they negotiate conservation of a property; and

Whereas Trustees of Narragansett Land Conservancy Trust and other municipal land trusts are appointed by the Town Council; and

Whereas the town council oversees and approves all rules, regulations, and decisions of the land trust; and

Whereas legislation - House Bill 2018-7425 - has been introduced in the Rhode Island General Assembly to disband Smithfield Land Trust; and

Whereas an amendment that is being discussed for this legislation is to create an oversight board for the Smithfield Land Trust that is an unnecessary and burdensome bureaucracy because the town council already provides oversight for the land trust; and

Whereas an alternative amendment that is being discussed for this legislation would require public access to all properties conserved by the land trust which could be contrary to the purpose for which some properties are protected such as to protect sensitive natural habitats and historic resources that would be damaged by public access, and possibly conflicting with the needs of property owners and funders;

Whereas Smithfield Town Council has unanimously adopted a resolution opposing House Bill 7425 regarding the future of the town's municipal land trust - Smithfield Land Trust; and

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Whereas this legislation is, precedent setting because it will erode public trust and property owner's confidence that properties can be effectively conserved by any municipal land trust or will remain permanently protected.

Therefore, Narragansett Town Council opposes House Bill 2018-7425 regarding Smithfield Land Trust and encourages the Rhode Island General Assembly to reject this legislation as introduced or amended because of the consequences it will have for Narragansett Land Trust and the other 18 municipal land trusts in Rhode Island.

TOWN OF NARRAGANSETT
S/Susan Cicilline-Buonanno
Council President

ATTEST:

S/Anne M. Irons, CMC – Town Clerk

**13. A MOTION to APPROVE the funding for and AUTHORIZE the Town
Manager to sign, the contract with Nyhart to prepare a Pension Plan
document.**

The Town Council had approved the preparation of a Pension Plan Document in January 2015 during a work session with Nyhart. Nyhart being the current actuarial firm for the Town's pension and OPEB plans.

Key elements of the plan document will include:

- A written plan that describes the benefit structure and guides day-to-day operations, in accordance with the pension ordinance and collective bargaining agreements
- Information on trust fund to hold the plan's assets, managed in accordance with the Town's investment policy
- Identification of the recordkeeping system to track the flow of monies going to and from the retirement plan

- Document to provide plan information to employees participating in the plan

The Pension Board has been working to complete the documentation needed for Nyhart to prepare this document.

As there has been a large lapse in time from the original approval the Pension Board is requesting that the Town Council again authorize the contract to be signed, after review by the Town Solicitor, to proceed with the project. The project is estimated at \$20,000.

Matthew Mannix moved, Michael Moretti seconded and it is unanimously so voted to APPROVE the funding for and AUTHORIZE the Town Manager to sign, the contract with Nyhart to prepare a Pension Plan document.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

14. A MOTION to DIRECT Community Development Staff to work with the Town Solicitor to draft an ordinance to create a special zone entitled Public Use/ Farm Zone.

The Planning Board at its June 19, 2018 meeting reviewed the Town Council's referral of a zone change proposal from "R-80" to "P – Public" for the Sunset Farm site. During their deliberations, it was recommended an alternative that would create a "Public Use / Farm" zone be investigated. The reason for a farming zone separate from the existing "Public" zone is to clearly define and specifically permit farming activities such as growing crops and raising livestock as well as accommodating for conservation, recreation and open space preservation. The conservation/recreation/open space

objectives are appropriate to reflect the purposes for which Sunset Farm was acquired in 1991 and the site management plan as approved in 1992. Elements, specific to accepted farming practices would be incorporated to reflect State and Federal farming laws. In creating this new zone, the Town will be able to definitively ensure that the Sunset Farm site be managed as a farm/open space asset for the benefit of the residents of Narragansett.

Michael Moretti moved, Patrick Murray seconded and it is unanimously so voted to to DIRECT Community Development Staff to work with the Town Solicitor to draft an ordinance to create a special zone entitled Public Use/ Farm Zone.

Stephen Marsella, Assistant Town Solicitor addressed the council on the Sunset Farm purchase and the Conservation Easements that restrict certain uses and was an important aspect in preserving the farm. He also noted that the farm is zoned as a residential use and the use table allows certain items that may not be appropriate for the farm. He said the matter of changing the zone to public use it was also discovered not all uses in the public use would be applicable for the farm. He noted that he and the planning board members asked the Community Development office to come up with a farm zone or an open space zone that would be consistent with the Conservation Easements.

Councilor Moretti asked if the intention was to restrict public use or make it more available for the public.

Attorney Marsella commented that it would be entirely up to the council on what they want to

Include. Councilor Lawler noted that there are 43 different public uses to review and the council

Can limit what they want at the Farm. She noted it would be for the public for walking and hiking trails.

The Planning Board will continue to work on the project.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye,

Susan Cicilline-Buonanno aye

15. A MOTION to APPROVE the filling of one (1) vacancy within the Wastewater Division due to a pending resignation.

Pursuant to the policy adopted by the Town Council (January 5, 2015), wherein the “knowledge and approval of the Town Council” is required before filling vacancies of full-time positions, the Engineering Department\Wastewater Division requests permission to fill one (1) position that will become vacant as of July 6, 2018. This is an existing position within Local 1179 – Operator II (Wastewater Division), and the employee has given his notice of resignation effective July 6th.

This position has existed within the Wastewater Division for over twenty (20) years, and is essential to the proper operation and function of the Scarborough WWTF, our nineteen (19) outlying pump stations, and over 75 mile of sewer lines.

The Operator II performs maintenance and operations duties at the Scarborough WWTF and in the field. A Grade II Wastewater Operator license as issued by the State (RIDEM) is required for this position as well.

Based on the current RI Pollutant Discharge Elimination System (RIPDES) permit that we

operate under, we are considered at “minimum manning” based on the 2018 staffing levels, the size and complexity of the Scarborough WWTF, and the size of our wastewater collection system. As such, this position is considered essential. It is fully funded through the Wastewater Enterprise Fund operating budget for FY 2017-18. Leaving it unfilled, even for a short period of time, will result in additional overtime costs and potential compliance issues with the operation and maintenance of the Scarborough WWTF and our collection system.

The job descriptions for both of these positions were recently upgraded and approved by the Town Council (February 27, 2017 Town Council meeting).

Matthew Mannix moved, Michael Moretti seconded and it is voted to APPROVE the filling of one (1) vacancy within the Wastewater Division due to a pending resignation.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

16.A MOTION to REAPPOINT one individual to the Zoning and Platting

Board/Minimum Housing Board of Review for a five-year term to expire on

July 1, 2023, and REAPPOINT two individuals as alternates for one-year

terms to expire on July 1, 2019.

The Zoning and Platting Board/Minimum Housing Board of Review one member seat and two alternate seats available for reappointment. Joseph Paglia has requested to be reappointed for another five-year term. John C. Kennedy and Christopher J. Almon have requested to be reappointed. The following indicates the original board appointment and expiration dates.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
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Joseph Paglia 10/5/2015 7/1/2018

John C. Kennedy, Alternate 7/17/2017 7/1/2018

Christopher J. Almon 7/17/2017 7/1/2018

Matthew Mannix moved, Michael Moretti seconded and it is voted to REAPPOINT Joseph Paglia until July 1, 2023 to the Zoning Board of Review.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

Matthew M. Mannix moved, Susan Cicilline-Buonanno seconded and it is voted to reappoint John C. Kennedy, Alternate until 7-1-19 to the Zoning Board of Review.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Patrick W. Murray aye, Susan Cicilline-Buonanno aye

Matthew M. Mannix moved, Susan Cicilline-Buonanno seconded to reappoint Christopher J. Almon, Alternate until 7-1-19 to the Zoning Board of Review.

Jill Lawler aye, Matthew M. Mannix aye, Michael T. Moretti aye, Susan Cicilline-Buonanno aye
Patrick W. Murray abstain

ADJOURNMENT:

The meeting adjourns at 8:28 p. m.

ATTEST:



Anne M. Irons, CMC- Council Clerk

MINUTES ACCEPTED AS
PRESENTED 08-20-18



Anne M. Irons, CMC, Council Clerk

A digital format is a part of the record for a complete account of the council meeting.

<https://www.youtube.com/channel/UCaXrjLKjolyaFtqVXBLwEfg>