



**SMITHFIELD TOWN COUNCIL
MEETING
SMITHFIELD TOWN HALL
TOWN COUNCIL CHAMBERS
64 FARNUM PIKE
TUESDAY, SEPTEMBER 6, 2016
6:00 P.M.**



**6:30 – 7:00 p.m. Citizens Collation
(Coffee and Refreshments)**

CLOSED SESSION

Motion to convene in closed session pursuant to Rhode Island General Laws, Section 42-46-5(a)(1), Personnel, to interview Albert S. Gizzarelli, Jr., Kelly Carello, J. Kevin McNelis, and Jennifer Blanchette for possible appointment to a Town Board or Commission.

AGENDA

- I. Regular meeting called to order at 7:00 p.m.
- II. Prayer
- III. Salute to the Flag
- IV. Emergency evacuation and health notification
- V. Presentations:
 - Certificate of Achievement – Government Finance Officers Association
 - Newly expanded and renovated Police Headquarters Memorial Dedication areas
 - Historical Cemeteries
- VI. Minutes:
 - A. Move that the minutes of the August 2, 2016 Town Council meeting be approved, as recorded.
 - B. Move that the minutes of the August 2, 2016 Town Council meeting closed session be approved, as recorded, and sealed.
- VII. Consider, discuss and act upon the following possible appointments:
 1. Member of the Smithfield Board of Canvassers with a term expiring March 2021:
 - TO BE NAMED

2. Alternate member of the Smithfield Economic Development Commission with a term expiring March 2017:
 - Paul J. Brown
3. Member of the Smithfield Historic Preservation Commission with a term expiring January 2018:
 - Travis Worthley
4. Alternate member of the Smithfield Land Trust with a term expiring September 2017:
 - James A. Chase (reappointment)
5. Member of the Smithfield Land Trust with a term expiring September 2021:
 - Marc F. Mahoney (reappointment)

VIII. Public Hearings:

- A. Conduct a Public Hearing to consider a Fire Recovery Ordinance to establish user fees for the deployment of fire recovery and rescue services.

IX. Licenses and Permits:

- A. Consider approving the annual renewal of one (1) Massage Establishment License, as listed, as applied, subject to compliance with all State regulations and local ordinances:
 1. Advanced Muscle & Bodyworks of RI, LLC d/b/a “Advanced Muscle & Bodyworks of RI,” 7 Austin Avenue, Suite 3B
- B. Consider approving the annual renewal of one (1) Massage Therapy License, as listed, as applied, subject to compliance with all State regulations and local ordinances:
 1. Joanne Morissey working at “Advanced Muscle & Bodyworks of RI”, 7 Austin Avenue, Suite 3B
- C. Consider approving the revocation of the following two (2) Holiday Sales Licenses due to non-compliance with the conditions of renewal; specifically the failure to submit a Rhode Island Permit to Make Sales at Retail, and the Town Clerk’s Office will notify the establishment owners by certified mail of the Town Council’s decision to revoke their Holiday Sales License:

1. Twin River Nursery Inc. d/b/a "Twin River Nursery" located at 31 Douglas Pike
2. Joseph Penrose d/b/a "Anytime Fitness" located at 446 Putnam Pike

X. Old Business: none

XI. New Business:

- A. Consider authorizing the Blackstone River Valley Greenway Challenge to hold an annual adventure race on September 24, 2016 (rain date October 1st) from 9:00 a.m. to 11:30 a.m. on Jenckes Hill Road (Smithfield portion), George Washington Highway and Douglas Pike.
- B. Consider authorizing a bid award for winter road salt for the Department of Public Works in the amount of \$60.48 per ton.
- C. Consider, discuss, and act upon an extension of the winter sand contract for the Department of Public Works in the amount of \$12.44 per ton.
- D. Consider authorizing a Request for Proposals for drilling and the installation of lighting at Whipple Field.

XII. Public Comment

XIII. Announce any closed session votes required to be disclosed pursuant to RI General Laws, Sec. 42-46-4.

XIV. Adjournment.

AGENDA POSTED: FRIDAY, SEPTEMBER 2, 2016

The public is welcome to any meeting of the Town Council or its sub-committees. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager's office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.



ROBERT W. SELTZER
CHIEF OF DEPARTMENT

SMITHFIELD FIRE DEPARTMENT

"To Help People"
HEADQUARTERS, STATION NO. 1
607 PUTNAM PIKE
SMITHFIELD, RHODE ISLAND 02828
www.smithfieldfire.com



TEL (401) 949-1330
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: July 28, 2016

Re: Fire Recovery Ordinance

Dear Town Council Members,

Included is a document titled Town of Smithfield Fire Recovery Ordinance. This ordinance is the result of some research regarding such ordinances and the need to explore alternative income sources available to the fire department.

Further, this ordinance is consistent with similar practices/ordinances that have been adopted by other Rhode Island communities. I verified this information by inquiring with our EMS revenue recovery vendor who has several clients in Rhode Island that bill for fire response as outlined in the proposed ordinance.

Implementation of this ordinance is based upon the following.

- 1) Where a majority of motor vehicle accidents and other emergency services involve individuals not owning property or paying taxes in the Town of Smithfield.
- 2) This ordinance will establish a fair and equitable procedure by which to collect said emergency service fees and shall establish a billing system in accordance with applicable laws, regulations and guidelines in the State of Rhode Island.
- 3) And, the payment for such service is expected to be made by a third party insurance carrier. At no time will the Town of Smithfield charge any individual personal party for services rendered. If a third party insurance carrier does not pay for a claim, the claim will be written-off as a hardship case. The only exception to this section will be a court ordered ruling that holds an individual party personally responsible and therefore is made personally responsible for any costs associated with emergency response fees.

"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."

- 4) **Estimated income for a given fiscal year should be \$50,000, conservatively. Last year the fire department responded to 250 automobile accidents. At a bill of \$200 per auto accident, times 250 runs per year, the total income is \$50,000. I have confidence that we will meet and exceed this number as we respond to several automobile accidents each year which involve technical rescue, such as extrications that require the use of the "Jaws of Life". These types of accidents typically warrant a greater charge for service.**

Thank you for your consideration of this ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Seltzer", with a long horizontal flourish extending to the right.

**Robert W. Seltzer
Chief of Department**

TOWN OF SMITHFIELD

FIRE RECOVERY ORDINANCE

SECTION 1: The Town of Smithfield Fire and Rescue Services shall initiate user fees for the delivery of Fire and Rescue Services, personnel, supplies and equipment to the scene of motor vehicle accidents and other emergency incidents as listed in "EXHIBIT A". The rate of user fees shall be based on actual costs of the services and that which is usual, customary and reasonable, which may include any services, personnel, supplies, and equipment and with baselines established by the Smithfield Town Manager.

SECTION 2: The user fee shall be filed to the responsible party, representing an add-on cost of the claim for damages of the vehicles, property and/or injuries. In the event services are required relating to utilities causing safety problems to highway areas, and if the area is deemed unsafe by emergency responders, the same billing process shall apply to said utility, whose equipment related problems cause for an emergency services response. The claim costs shall be filed to the insurance coverage of the owner of a vehicle, owner of property, or responsible parties.

SECTION 3: The Town of Smithfield Town Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these fees or the collection thereof.

SECTION 4: This Ordinance shall take effect upon passage and implemented at the earliest time permitted by law.

SECTION 5: These user fees for Motor Vehicle Accidents or any other billable service covered by this resolution will apply to all persons whether residing or not residing within the Town of Smithfield. The payment for such service is expected to be made by a third party insurance carrier. At no time will the Town of Smithfield charge any individual personal party for services rendered. If a third party insurance carrier does not pay for a claim, the claim will be written-off as a hardship case. The only exception to this section will be a court ordered ruling that holds an individual party personally responsible and therefore is made personally responsible for any costs associated with emergency response fees.

EXHIBIT A

The Town of Smithfield Fire and Rescue Services shall initiate user fees for the delivery of Fire and Rescue Services, personnel, supplies and equipment to the scene of motor vehicle accidents and other emergency incidents as listed in this Exhibit.

- 1. Motor Vehicle Accidents**
- 2. Automobile Fires**
- 3. Large Motor Vehicle Fires (e.g.: Tractor-Trailer)**
- 4. Hazardous Materials Incidents**
- 5. Pipeline Breakage/Repairs (Includes but not limited to: Gas, Sewer, and Water)**
- 6. Special/Heavy Rescue Response to Industry**
- 7. Environmental Cleanup (streets, waterways, etc.)**
- 8. Helicopter Landing Zone**
- 9. Terrorist Incident Response – responsible party**
- 10. Aircraft Accident**

TOWN OF SMITHFIELD
NOTICE OF PUBLIC HEARING
Town Council to consider Adoption of a New Ordinance

Public Hearing Date: Tuesday, September 6, 2016
Time: 7:00 p.m.
Place: Smithfield Town Hall, 64 Farnum Pike, 2nd Floor

Chapter 37-11 Fire Recovery Ordinance

The public is welcome to any meeting of the Town Council or its sub-committees. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager's office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

To view the full text of the proposed ordinance amendment, please visit the office of the Smithfield Town Clerk during normal business hours (8:30 a.m. to 4:30 p.m.) or visit the Town's Web Site at: www.smithfieldri.com.

By order of the Town Council:

Carol A. Aquilante, CMC
Town Clerk

Not part of ad:

Advertisement to run in the Valley Breeze-Observer on **Thursday, August 25, 2016 and Thursday September 1, 2016** Rhonda: Please provide a draft and cost of ad to Town Clerk Carol A. Aquilante, 233-1000, ext. 111. Thank you.

Copies to: Town Manager
Town Council
Town Solicitor
IT Manager for Town Website (full text attachment to follow)



Memorandum

DATE: September 1, 2016
TO: Smithfield Town Council
FROM: Carol Banville – License Coordinator
SUBJECT: Annual Renewal of one (1) Massage Establishment License for the September 6th Town Council Meeting.

BACKGROUND:

The business listed below has filed their application for renewal.

TOWN REVENUE:

The cost to renew the Massage Establishment License is \$100.00 per year.

APPROVAL STATUS:

All paperwork is complete for Town Council approval

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of one (1) Massage Establishment License, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Advanced Muscle & Bodyworks of RI, LLC d/b/a “Advanced Muscle & Bodyworks of RI, 7 Austin Avenue, Suite 3B



Memorandum

DATE: September 1, 2016

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of one (1) Massage Therapy License for the September 6th Town Council Meeting.

BACKGROUND:

The business listed below has filed their application for renewal.

TOWN REVENUE:

The cost to renew the Massage Therapy License is \$75.00 per year.

APPROVAL STATUS:

All paperwork is complete for Town Council approval

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of one (1) Massage Therapy License, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Joanne Morissey working at “Advanced Muscle & Bodyworks of RI”, 7 Austin Avenue, Suite 3B

UniBank
BLACKSTONE RIVER VALLEY
greenway
CHALLENGE

RECEIVED

AUG 17 2016

TOWN MANAGERS OFFICE
SMITHFIELD, RI

August 12, 2016

Dennis G. Finlay, Administrator
Town of Smithfield, Rhode Island
64 Farnum Pike
Smithfield, RI 02917

AGENDA ITEM FOR 9/6 COUNCIL MEETING

Dear Mr. Finlay:

I am writing to you and the town council to request permission for our annual adventure race, the Blackstone River Valley Greenway Challenge, to be allowed to pass through Smithfield on its way north into Massachusetts. The date of the race is September 24, 2016 (rain date: October 1).

The Greenway Challenge, now in its 16th year, is a team relay race with segments of running, cycling, and kayaking. Each year a unique course is set up. The segment that would pass through Smithfield will be a cycling segment, (originating in Lincoln Woods State Park). There will be approximately 75 teams, hence 75 cyclists. As it will be the third segment of the race, the cyclists will be somewhat spread out. We estimate that all cyclists will enter and exit the town between 9:45 and 11:00 a.m.

I am in the process of contacting your police department in order to review the route with them. We are prepared to follow all safety concerns your police may have, including the hiring of detail officers.

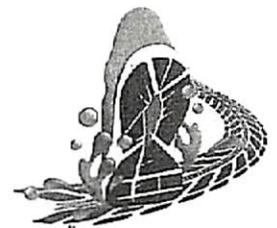
I understand that you have a council meeting on September 6th. I would be happy to attend that meeting. I'm sure that I will have completed my discussions with your police department by then, and will have that information readily available.

Smithfield has seen the Greenway Challenge pass through its borders a number of times in the previous 15 years. I hope that we can be accommodated again this year.

Yours sincerely,



Charles E. Thompson, Chairman, Steering Committee
(508) 234-1230 (774) 276-7210 thompsoncharlie51@gmail.com
261 Carpenter Road, Whitinsville, MA 01588





TOWN OF SMITHFIELD
DEPARTMENT OF PUBLIC WORKS
PHONE: (401) 233-1034 FAX: (401) 233-1075

MEMORANDUM

Date: August 10, 2016

To: Honorable Town Council

From: Charles Walsh; Acting Public Works Director

RE: **Bid Award, Winter Salt**

BACKGROUND:

Request approval to use the State of RI Master Pricing Agreement to purchase winter road salt from Morton Salt with the RIDOT (MPA #125).

The current contract is due to expire in September 2016. Enclosed is the newly awarded Blanket Purchase Agreement with the State with a term ending September 30, 2016. Municipalities have the ability to contract for the prices agreed upon in the RIDOT Blanket Price Agreement.

Please note that line 9 on the attachment carries the unit purchase price of \$60.48/ton for Smithfield.

FINANCIAL IMPACT:

Last year salt was purchased at a rate of \$60.48/ton. With a master price list rate of \$60.48/ton, there is no change in price from last year to this year providing our order is placed by September 30, 2016. Sufficient funds have been included in the annual operating budget for Public Works.

RECOMMENDATION:

It is the recommendation of this department that the Smithfield Town Council authorize the purchase of winter salt from Morton Salt at the unit price of \$60.48, as highlighted on the attached document. All deliveries are FOB Smithfield Public Works Facility, 3 Spragueville Road.

MOVED: *That the Smithfield Town Council authorize the Public Works Director to purchase the Town's winter road salt for the 2015/2016 winter season from International Salt Co., LLC using the Blanket Purchase Agreement, at per ton unit price of \$60.48. All deliveries are FOB Smithfield Public Works Facility, 3 Spragueville Road.*



TOWN OF SMITHFIELD
DEPARTMENT OF PUBLIC WORKS
PHONE: (401) 233-1034 FAX: (401) 233-1075

MEMORANDUM

DATE: August 4, 2016

To: Honorable Town Council

From: Charles Walsh, Deputy Director Public Works

RE: Winter Sand Contract Extension for FY 2017

BACKGROUND:

In October of 2014, the Smithfield Town council awarded a contract for Winter Sand to Greenville Concrete Products. Contained within the bid documents is a provision for up to two single year contract extensions.

Greenville Concrete Products has agreed to extend their contract for an additional year (FY 2017) with a contract price of \$12.44 per ton for the supply and delivery of Winter Sand allocated in the Road Maintenance Account.

Financial Impact:

Funding for Winter Sand is through the Road Maintenance Materials Account # 041-0581.

RECOMMENDATION:

It is the recommendation of this Department that the Smithfield Town Council allow the Public Works Director to extend the current agreement with Greenville Concrete Products, 79 Cedar Swamp Road, Smithfield, RI an additional year with a contract expiration date of 9/30/17.

MOVED: That the Smithfield Town Council authorizes the Public Works Director to extend the current contract with Greenville Concrete Products, to supply the Town of Smithfield with Winter Sand at the price of \$12.44 per ton. in accordance with the contract bid specifications dated 10/7/2014, extending the contract an additional fiscal year to the end of September 30, 2017.