

TOWN COUNCIL MEETING

January 26, 2004

(Amended February 9, 2004)

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Philomenian Library, 26 North Road, at 7:14 PM by Council President Kenneth G. Littman. The following members were present:

David J. Long, Vice President
Julio J. DiGiando
Claire M. Ferguson
Guy J. Settipane

also present:

Maryanne Crawford, CPA, Town Administrator
J. William W. Harsch, Town Solicitor
Arlene D. Petit, Town Clerk
Katherine Sipala, School Superintendent
Catherine L. Kaiser, School Committee Chair
James R. Filkins, School Committee
Dennis Webster, Neighborhood Advisory Committee

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

None

SITTING AS ALCOHOLIC BEVERAGE LICENSING COMMISSION

None

CONSENT AGENDA

It was requested that items # 2 and 6 be removed from the Consent Agenda. It was moved by Councilor Long, seconded by Councilor DiGiando to approve the Consent Agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
 - a) 01/08/2004 Special Minutes
 - b) 01/12/2004 Regular Meeting
 - c) 01/13/2004, 01/15/2004 Budget Meeting
- 2)
- 3) Minutes from Boards, Commissions and Committees:
 - a) Affordable Housing Committee (11/10/2003)
 - b) Jamestown Conservation Commission (12/16/2003)
 - c) Harbor Management Commission (12/10/2003)
 - d) Jamestown Substance Abuse Prevention Task Force (01/14/2004)
- 4) CRMC January 2004 Calendar Notice - Amended

- 5) CRMC Notice re: application for assent to construct a residential boating facility, ramp and float from Eugene Liberati, 317 Oaklawn Avenue, Cranston (location: 40 Seaview Avenue, Plat 7, Lot 139)
- 6)
- 7) Mount Hope Engineering, Inc. re: ISDS application #0215-0381 for Rosario Sciuto, Beacon Avenue for variance from RIDEM Regulations to install and operate a proposed ISDS on property located at Plat 15, Lot 287

2) Bills and Payroll

Councilor Settupane requested additional information regarding the bill from GZA GeoEnvironmental and requested that the Town Administrator give the Council an update of work done to-date. Additionally, Councilor Settupane requested information on the bill from Vollmer Associates and requested that the Town Administrator monitor the bills and payment schedule.

It was moved by Councilor Long, seconded by Councilor Settupane to accept bills and payroll. So unanimously voted.

6) RIDEM letter (Council copy) re: reporting regulations for violations

The Town Administrator informed the Council that the letter from RIDEM was a general letter of requirements and procedures.

It was moved by Council President Littman, seconded by Councilor Long to accept the letter from RIDEM. So unanimously voted.

EXECUTIVE SESSION ANNOUNCEMENT

1) Pursuant to RIGL 42-46-5 (a) (2) Litigation

Council President Littman announced that there would be an executive session later in the evening, pursuant to RIGL 42-46-5 (a) (2) to discuss litigation.

PUBLIC HEARING

- 1) Proposed Harbor Management Ordinance (continued from 1/12/2004)
 - a) Set date for continuation (Thursday, Feb. 19 or Wednesday, Feb. 25)

Following the opening of the hearing at 7:18 PM regarding the proposed Harbor Management Ordinance, it was moved by Council President Littman, seconded by Councilor DiGiando to continue the public hearing to Wednesday, February 25, 2004 at 7:00 PM at the Jamestown Philomenian Library. So unanimously voted.

- 2) Petition for Abandonment of Street/Highway, pursuant to RIGL 26-6-1 et.seq. (duly advertised on January 8, 2004 in the Jamestown Press)
 - a) Petition from Patrick O’N. Hayes, Jr., Esq., representing Caroline Head and Alton Head, III, re: abandonment of a street located on the West side of East Shore Road opposite Bay Terrace
 - i) Memorandums from Town Officials
 - ii) Verizon re: Petition to abandon a portion of East Shore Road

Council President Littman declared the hearing open at 7:25 PM.

Partick O’N Hayes, Jr., attorney representing Alton Head, III and Caroline Head, stated that the property on either side of the right-of-way in question is owned by the Heads. Mr. Hayes presented a State Highway Map showing the property and indicated that it serves no purpose for anyone other than the Heads. Mr. Hayes requested that the Council abandon this area, subject to the rights as requested by Verizon.

Council President Littman referred to the letter submitted by Verizon concerning the facilities they have in that area. Verizon is asking for an easement from the Heads, which will permit the retention of its facilities with the right to inspect, maintain, operate and replace the same and allow them twenty-four hour access.

Mr. Hayes stated that his clients would be willing to accept the abandonment subject to their rights and will work it out directly with Verizon. Mr. Hayes noted that the facilities were connected to an old barn owned by Caroline Head, which has since been torn down.

Council President Littman noted that the Council has received memorandums from several Department Heads indicating that there are no objections.

Councilor Settiane inquired if there were any zoning implications or if there would be any way that the addition of this property to the existing lots would allow for subdivision.

Mr. Hayes stated that he did not foresee that his clients retain the right to create any additional lots by this abandonment.

Councilor Settiane asked the Town Solicitor if the Town should reserve the right to those utilities. The Town Solicitor stated that it would not be necessary and would only complicate the situation. The Council could grant the abandonment subject to the condition that a satisfactory arrangement be worked out with Verizon.

Council President Littman invited comment from the audience. There being no comments, it was moved by Council President Littman, seconded by Councilor Long to close the public hearing at 7:30 PM. So unanimously voted.

The property being of no further use to the public, it was moved by Council President Littman, seconded by Councilor Settiane to approve the Petition for Abandonment of a street described as being between Lots 163 and 25 on the Tax Assessor’s Plat 7 owned by

Caroline Head and Lot 167 owned by Alton Head III, further described as the paper street shown and described on Rhode Island Department of Transportation, Division of Public Works Plan, Route 138 Improvements, Plan Number 2132/2133/2159/2226, right-of-way Plan Number 5 from Station 169 + 50 to Station 181 + 90, dated 7/9/1991 by Wilbur Smith Associates, subject to a satisfactory arrangement with Verizon. So unanimously voted.

Council President requested that the approval of the budget be moved up on the agenda.

2004/2005 Budget

General Budget

Council President Littman stated that the budget as presented by the Town Administrator is for a sixteen-month period and reflects those changes made by the Council. The Town Administrator’s recommended general budget, with revisions is \$8,144,216.00.

The Town Administrator provided the following information regarding the additional \$40,000,00 cut from the Capital Budget:

<u>Account</u>	<u>Purpose</u>	<u>Reduction</u>
Planning	Comprehensive Plan, Zoning Ordinance, Subdivision and Land Development Regulations	\$5,000.00
Finance Dept/Technology	Computer equipment and supplies	\$5,000.00
Police Protection	Two New Patrol Vehicles	\$6,000.00
	Radio Dispatch Console	\$4,000.00
Roads	Sidewalk Repair	\$5,000.00
Ambulance	Ambulance replacement fund set aside	\$5,000.00
	TOTAL REDUCTIONS	\$40,000.00

The Town Administrator noted that the Public Works Director was also asked to cut an additional \$10,000.00 from his budget, which will be taken from the paving budget.

Unreserved Fund

The Town Administrator answered Council concerns regarding the Unreserved Fund balance and reported that as previously discussed, the fund will be reduced by \$350,000.00 for open space purchase and \$60,000.00 to be put towards the amount needed to bring the Community Center up to the State Fire Code. With the deductions as mentioned the balance in the Unreserved Fund would be ~~\$1,085,000.00~~ \$1,850,000.00. The Town Administrator reported that although the balance is below the recommended \$2,000,000.00, she recommends the use of these funds to reduce the burden on the taxpayers.

The Town Administrator informed the Council that the increase in the budget over a twelve-month period was approximately 3%, while in comparison, the increase over a sixteen month period would be 36.6%.

Council President Littman and Vice President Long commended the Town Administrator and Town staff for their assistance in preparing this budget.

School Budget

Council President Littman requested that the Council now consider the School Department budget. President Littman stated that the School has submitted a budget in the amount of \$13,615,727.00.

The Town Administrator informed the Council that the numbers as presented does not include the debt service. The Town Administrator reported that the School budget with the inclusion of debt service is \$14,096,203.00. It was also noted that the \$10,000.00 which the Council previously discussed cutting from the budget is not included in the budget.

Councilor Settiane commended the School Committee and School Superintendent on their hard work and submission of a responsible budget.

Councilor Settiane inquired if at the budget hearing on January 22nd, it was a consensus of the Council that the school budget be reduced by \$10,000.00. President Littman stated that it was a consensus.

2004/2005 Budget Approval

It was moved by Councilor Settiane, seconded by Councilor DiGiando to adopt the 2004/2005 General Government Budget for the Town of Jamestown as proposed and with adjustments made by the Council, in the amount of \$8,144,216.00. So unanimously voted. Town Council President Littman announced that the budget was approved and would go before the voters at the Financial Town Meeting on March 1, 2004.

It was moved by Councilor Settiane, seconded by Councilor DiGiando to approve the 2004/2005 School Budget in the amount of \$14,086,203.00. So unanimously voted.

OPEN FORUM

- 1) Scheduled request to address
 - a) Representative Bruce Long re: request for Town Council's endorsement on legislation regarding volunteer firefighters

Representative Long requested that the Council pass a resolution in support of the three legislative acts, which he has submitted on behalf of the volunteer firefighters.

It was the consensus of the Council that the proposed legislation would be forwarded to the Town Administrator and to the group that is working on this issue for their review and comments.

- 2) Non-scheduled request to address

None

REPORTS OF BOARDS, COMMITTEES AND TOWN OFFICIALS

- 1) Town Administrator's report (attached)

The Town Administrator requested clarification on the duties of the group being formed to review the issue of tax abatement for volunteers on the Fire Department and Ambulance Association.

The Council accepted the participation of the following individuals:

- William Murphy (Ambulance Association)
- Nancy Beye (Fire Department)
- James Ingari (Fire Department)
- James Bryer (Fire Department Compensation Committee)
- Craig Watson (Emergency Management Director)
- Town Administrator
- Daniel Shapiro (Resident-at-large)
- Council Liaison (non-voting)

It was the consensus of the Council that the group review the current abatement for the Fire Department and Ambulance Association, consider other potential financial incentives and report back to the Council.

The Council discussed additional issues that may be considered by the group, such as, increased recruitment methods. Other issues discussed were the growing demand for services, time in training to provide those services and the need to provide this basic level of service.

Councilor Settipane stated that this is a fact-finding group, which should analyze the problem, including the incentives and how they would be addressed in a town with a small budget and recommendations for recruitment. Councilor Settipane suggested in inclusion of a Personnel Board member as an ex-officio member. The Town Administrator noted that the Personnel Board is currently looking into the issue of recruitment. It was the consensus of the Council that if it was thought that additional assistance was needed, a Personnel Board member could be considered.

Councilor Long requested that this be continued on the Council agenda for February 23, 2004 for a progress report.

It was the consensus of the Council that Councilor DiGiando be appointed as the Council Liaison.

Grant for Water Tower and Distribution System

The Town Administrator informed the Council that Jamestown has received a grant through US Appropriation Bills in the amount of \$500,000.00 to be used towards the water tower and distribution system. The Town Administrator commended William Kelly and Town Planner Lisa Bryer for their efforts in submitting this grant.

Tax Assessor Report

Councilor Settiane highlighted the September 12, 2004 deadline for revaluation appeals.

Councilor DiGiando commended the Highway Department for their work on the water leaks throughout the Town.

It was moved by Councilor Settiane, seconded by Councilor Long to accept the Town Administrator's report. So unanimously voted.

- 2) Conservation Commission
 - a) Memorandum re: DPW Facility & State Endangered Species

It was moved by Councilor Long, seconded by Councilor DiGiando to accept the memorandum from the Conservation Commission. So unanimously voted.

It was moved by Councilor Settiane, seconded by Councilor Ferguson that the New England Plant Conservation Program referencing the Violet Wood-Sorrel be forwarded to Vollmer Associates for their consideration in designing the highway facility. So unanimously voted.

- 3) Planning Commission
 - a) Three (3) vacancies exist; (3) terms ending in 12/31/2007; duly advertised and all interviews complete (4-year appointments)
 - i) Requests for reappointment:
 - Betty L. Hubbard
 - Victor V. Calabretta
 - Jean MacGregor Brown
 - ii) Letters of interest:
 - William A. Kelly
 - Abigail Campbell-King
 - Michael Schnack

It was brought to the attention of the Town Clerk that there are four vacancies on the Planning Commission. It was moved by Council President Littman, seconded by Councilor Long to continue this on the Council agenda for February 9, 2004 with proper notice of the four vacancies. So unanimously voted.

- 4) Planning Commission

- a Memorandum from the Town Planner re: Endorsement of the RIDEM Open Space Grant Application for the acquisition/development of land in the Conanicut Island Greenway Trail System; Plat 7, Lot 71 and part of 29

The Town Planner requested the Council's endorsement of the RIDEM Open Space Grant Application for the acquisition/development of land in the Conanicut Island Greenway Trail System; specifically, Plat 7, Lot 71 and a portion of 29. The Town is requesting consideration for a grant in the amount of \$170,000.00 to purchase the property from RIDOT in order to develop a loop around the soccer field to be used for walking/biking trails as well as a 10-station fitness trail.

Councilor Ferguson expressed her concern that the facility would be neighbor-friendly. Additionally, Councilor Ferguson asked if this would create any parking problems in the area of the soccer field. Ms. Bryer informed the Council that public hearings will be held to address any questions or concerns regarding the proposed project.

Christopher Powell noted that the Council had previously approved the Greenway Plan and this parcel is critical to that plan.

It was moved by Council President Settupane, seconded by Councilor Long to endorse the Rhode Island Open Space Grant Application for the acquisition and development of land in the Conanicut Island Greenway Trail System, Plat 7, Lot 71 and part of Lot 29. So unanimously voted.

- b) Memorandum from Town Planner re: Comprehensive Community Plan, proposed changes to Plan to address comments from Statewide Planning
 - i) Order advertisement for hearing

The Town Planner informed the Council that the Planning Commission and Affordable Housing Commission have reviewed and made changes to the Jamestown Comprehensive Community Plan as recommended by Statewide Planning. It has been recommended by the Town Solicitor that the Planning Commission and the Town Council hold public hearings on those changes. Ms. Bryer reported that the Planning Commission would hold their hearing on February 18, 2004. Additionally, Ms. Bryer reported that the State has granted an extension until the end of February.

It was moved by Councilor Settupane, seconded by Council President Littman to order the Clerk to advertise for a public hearing on the changes to the Comprehensive Community Plan to be held on February 23, 2004 at 7:00 PM at the Jamestown Philomenian Library. So unanimously voted.

- 5) Neighborhood Advisory Committee re: Highway Facility
 - a) Role of committee

Councilor Settupane indicated that it was his understanding that at the present time, the

Council is working directly with the Town Administrator, Public Works Director and John Hannigan from Vollmer Associates. Councilor Settipane stated that the Neighborhood Advisory Committee would be involved on an as needed basis.

Council President Littman stated that the Council is expected to review the interim report from Vollmer Associates, and if necessary, would forward information to the committee. President Littman stated that it was not the Council's intention to exclude the Neighborhood Advisory Committee, but rather to work with Vollmer Associates, with consideration being given to information presented to the Council by the committee.

The Town Administrator informed the Council that Vollmer Associates would be attending the February 23, 2004 meeting to discuss a cost estimate and concept for the facility.

Councilor DiGiando noted that the next step that the Council will be to contract with an architectural firm to do the formal design.

6) Library Board of Trustees re: term ending dates

In order to ensure that a quorum will be possible while considering appointments to the Library Board of Trustees, it was moved by Councilor Settipane, seconded by Councilor Long to amend the term ending date for the appointment of Nancy Logan to December 31, 2004. So unanimously voted.

UNFINISHED BUSINESS

- 1) Harbor Management Commission (cont. from 01/12/2004)
 - a) Bid approval for East Ferry dingy dock and ramp
 - b) Town Solicitor opinion re: liability and enforcement issues
(continue on agenda until information is received)

James Archibald informed the Council that the bid is as presented at the December 22, 2003 Town Council meeting. (12/22/2003 meeting - Narragansett Dock Works, Inc., total base bid of \$15,096.29, timber pile alternate, for a total bid not to exceed \$15,387.54).

It was moved by Council President Littman, seconded by Councilor Long to award the bid for the construction of the East Ferry dinghy dock and ramp by Narragansett Dock Works, Inc. for the amount as recommended by the Harbor Management Commission on December 22, 2003. So unanimously voted.

The Town Solicitor informed the Council that Mr. Parks has been in touch with the Harbor Management Commission and Mr. Munger to work out an agreement regarding the liability and enforcement issues.

It was the consensus of the Council to continue this on the Council agenda to discuss liability and enforcement issues with the Town Solicitor.

- 2) Jamestown Housing Authority (continued from 1/12/2004)
 - a) One (1) vacancy exists term ending 12/31/2008; duly advertised and all interviews complete
 - i) Reappointment:
 - Ralph L. Misto, Jr.
 - ii) Letters of interest:
 - Shirley A. Dean
 - Angelo DiMario
 - b) Letter from Chairman Ernest Anthony, Jr. re: reappointment of Ralph Misto
 - c) Town Solicitor written opinion (new information included in packet)

The Town Solicitor informed the Council that every effort must be made to appoint a resident of the Housing Authority; if there was not one qualified, the Council could then appoint a qualified member of the community to fill the vacancy.

Following Council discussion on the need to fill the vacancy with a resident of the Housing Authority, it was moved by Councilor DiGiando, seconded by Councilor Long to appoint Shirley A. Dean to the Jamestown Housing Authority for a term ending 12/31/2008. So unanimously voted.

It was moved by Council President Littman, seconded by Councilor Long to accept the letter from A. Lauriston Parks. So unanimously voted.

- 3) Contract Negotiations (continued from 1/12/2004)
 - a) Council liaison

As requested by Councilor Settipane, the Council discussed the possibility of appointing a Council Liaison to sit in on labor negotiations. Councilor Settipane suggested that the Council Liaison would be an observer rather than a participant. Additionally, Councilor Settipane noted that, as mentioned by Peter Ruggiero, Assistant Town Solicitor, any member of the Town Council could attend labor negotiations.

There was a lengthy discussion by the Council as to whether a liaison is needed and how it would affect contract negotiations. The Town Solicitor cautioned the Council that if three members of the Council attended a negotiations meeting, it would then be necessary to post the meeting and to take minutes. Additionally, Mr. Harsch stated that the Council should consider the position and function of the Town Solicitor and Town Administrator in negotiating.

In order to keep the Council updated on labor negotiations, Councilor Settipane and Councilor Long suggested scheduling executive sessions earlier in the Council meetings or to hold a special executive meeting on a separate date.

It was moved by Councilor Settipane, seconded by Council President Littman to appoint a Council Liaison for contract negotiations as a non-voting member to sit in with the Town Administrator and Town Solicitor. It was voted, Councilor DiGiando, nay; Councilor Ferguson, nay; Councilor Long, nay; Councilor Settipane, aye; Council President Littman, nay. The motion failed.

- 4) Street Light, pole #1, Valley Street re: shielding/redirection or reduction of wattage (continued from 1/12/2004)
 - a) Report from Town Administrator

The Town Administrator noted that she was informed that the light has been redirected as much as possible. Additionally, she noted that she would like to meet with the resident and Town Officials to discuss the street light further.

Mr. Cochran, North Road, stated that he wrote the letter to the Council regarding the light after the Electric Company made any adjustments. The pictures included in the letter show the intensity of the light. Mr. Cochran also noted that the two Jamestown Schools have the same kind of lights and asked that the Town address this type of lighting.

- 5) Jamestown Volunteer Fire Department and Jamestown Ambulance Association (continued from 1/12/2004)
 - a) Abatement program

Previously discussed.

- 7) Penalty Assessment Fee (continued from Water and Sewer meeting 01/20/2004)
 - a) Report from Town Solicitor

The Town Solicitor reported that after a review of meeting notices and minutes, it has been found that the Council action relating to the penalty assessment fee could be voidable if it were to be challenged due to the fact that it was improperly listed as "review of rate schedule." The next issue to be discussed is the Town Council's ability to void the penalty assessment. At this time, the Town Solicitor noted that the term penalty might not be the best way to describe what is designed to be a charge for excessive water usage.

On another matter, the Town Solicitor informed the Council that the Town Council meets regularly three times per month; at one of those meetings tends to emphasize water and sewer matters. However, as a technical matter, the Council is within its rights and prerogatives to act on this particular issue or other issues at any of those meetings as long as it has been properly noticed. Additionally, Mr. Harsch recommended that the Board of Water Sewer meetings be properly noticed as a Town Council meeting.

Councilor Long stated that at the time the Council considered the rate schedule, he suggested that the Town hire a consulting firm that had experience with how to access and administer water rates and high user rates.

Council President Littman noted that the Council has hired a consultant. The Town Administrator stated that a report would be submitted to the Council prior to review of the Water and Sewer budget.

It was moved by Council President Littman, seconded by Councilor Long that the penalty assessment fee imposed on April 23, 2003 relating to water rate structure, specifically the \$500.00 assessment fee shall be rescinded. So unanimously voted.

- b) Letter from Jocelyn T. Shaw

It was moved by Council President Littman, seconded by Councilor Long to accept the communication from Jocelyn T. Shaw. So unanimously voted.

COMMUNICATIONS

None

NEW BUSINESS

- 1) RI Statewide Planning Program re: Project Notification and Review System, Supplemental Environmental Impact Statement for the Jamestown Bridge Replacement Project (reply due by January 30, 2004)

It was moved by Councilor Settipane, seconded by Council President Littman to accept the communication from RIDOT regarding Project Notification and Review System, Supplemental Environmental Impact Statement for the Jamestown Bridge Replacement Project. So unanimously voted.

The Town Administrator stated that she will respond to RIDOT prior to the January 30, 2004 deadline.

- 2) Letter of appeal re: Jamestown Harbor Commission decision dated January 14, 2004 on behalf of Dr. Jerrold Rosenberg

It was the consensus of the Council to schedule the appeal of Dr. Jerrold Rosenberg at 6:30 PM prior to the public hearing for the Harbor Management Ordinance on February 25, 2004 at the Jamestown Philomenian Library.

- 3) Councilor requests for information/Agenda items (per Councilor DiGiando)

Councilor DiGiando questioned the process for individual Council members requesting information. Councilor DiGiando suggested that items be listed on the Council agenda so that it would give each member a chance to discuss additional information, if any, that they would like to receive.

Councilor Settupane stated that the information that he has requested are all public documents and as a Council member or member of the public should be available. Councilor Settupane also noted that individual Council member's ideas may be different as to what each member needs to look at when deciding an issue. If there are issues found for discussion by the Council, they would then be put on an agenda. It is the Town Administrator's policy to hand out all individually requested information to each Council member.

- 4) Warrant for Financial Town Meeting
 - a) Referendum for refinancing
 - b) Warrant

The Town Clerk noted that on Resolution Number 5, the listings for the Tax Assessor's Maps are incorrect. The listing should be Lot #71 on Map 7 and Lot #'s 419, 421 and 422 on Map 5. Those corrections will be made to the warrant.

- 5) Victualing License
3 Ferry Wharf
 - a) Letter from Daniel P. Connelly re: Allied Domecq QSR dba: Baskin Robbins / Dunkin Donuts request to rescind Council action on September 22, 2003 for the transfer of victualing license from Diana Scanlon-Andreozzi dba Spinnakers Café & Mobile Unit to Allied Domecq QSR dba: Baskin Robbins / Dunkin Donuts

It was moved by Councilor Settupane, seconded by Councilor Long to rescind the Victualing License granted to Allied Domecq QSR dba: Baskin Robbins / Dunkin Donuts. So unanimously voted.

- b) Renewal Application from Diana Scanlon-Andreozzi dba: Spinnakers Café & Mobile Unit

It was moved by Council President Littman, seconded by Councilor Long to approve the renewal of Victualing License for Diana Scanlon-Andreozzi dba: Spinnakers Café & Mobile Unit from December 2003 to November 2004, subject to the resolution of debts, taxes and appropriate signatures. So unanimously voted.

- 6) Approval of Budget

Previously discussed.

- 7) Approval of Ten-Year Capital

It was moved by Councilor Settupane, seconded by Councilor Long to approve the Ten-Year Capital budget. So unanimously voted.

EXECUTIVE SESSION

It was moved by Councilor Long, seconded by Councilor Ferguson to enter into executive session at 10:00 PM, pursuant to RIGL 42-46-5 (a) (2) to discuss litigation. It was voted, Councilor DiGiando, aye; Councilor Ferguson, aye; Councilor Long, aye; Councilor Settiane, aye; Council President Littman, aye. The motion passed.

Councilor Settiane recused himself in the executive session and left the Council meeting at 10:00 PM.

The Council returned from executive session at 10:25 PM. It was moved by Councilor Long, seconded by Councilor DiGiando to seal the minutes of the executive session from the public. It was voted, Councilor DiGiando, aye; Councilor Ferguson, aye; Councilor Long, aye; Council President Littman, aye. The motion passed.

There being no further business before the Council, it was moved by Councilor DiGiando, seconded by Council President Littman to adjourn the meeting at 10:28 PM. So voted with four in favor and Councilor Settiane being absent.

Attest:

Arlene D. Petit
Town Clerk

c: Town Council Members (5)
Town Administrator
Town Solicitor
Administrative Circulation