Date posted: October 20, 2020 by 4:00 P.M.
All items on this agenda are to be discussed and/or acted upon.

TOWN OF LITTLE COMPTON
TOWN COUNCIL
Little Compton, RI 02837

MEETING OF October 22, 2020

Virtual meeting by Zoom and teleconference
Join Zoom webinar: https://zoom.us
Webinar ID: 879 7188 3714
Password: 005707

Dial by location Toll Free numbers:
888 788 0099 or 833 548 0276 or 833 548 0282 or 877 853 5247
Or Alt. phone (NY) 1 646 558 8656

Live streaming at https://www.youtube.com/channel/UCNoKeQBPql33aEtqzOXHO9g

AGENDA

6:30 P.M.

Interviews with two individuals who are interested in serving on the LC Free Public Library Board of Trustees

7:00 P.M.

Approval of Minutes - October 8, 2020

* Consent Agenda - All items listed with an asterisk (*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen so requests in which event the item will be withdrawn from the General Order of business and considered in the normal sequence on the agenda.

** These items are received and filed with no other action taken.

Announcements:

1. Reminder there will be a town-wide Flu Clinic offered at the Wilbur-McMahon School on November 5, 2020 at 5 PM

Department Head Reports: none
Old Business:

2. Receive report from Police Chief on response to RI DEM regarding farmers and crop control permits
3. Report from Council President Mushen on United Congregational Church request to use Pikes Peak on Oct. 30 beginning at 4:30 PM
4. Appointment to fill the unexpired term of Cindy Sheldon on the LC Free Public Library Board of Trustees
   a. Accept letters of support for applicant Shirley Hardison from Scott Morrison, Nancy Osborn and Lucie DuHamel
   b. Accept letters of support for applicant Claudia McNeil from Jana Porter

New Business:

1. Receive letters of interest:
   (1) Alternate member of the Board of Canvassers to represent the Democratic party – term remaining until Nov. 10, 2023
   (1) Member of the Harbor Commission representing Recreational Boaters – unexpired term to Feb 1, 2023
   (1) Member of the Tax Assessment Board of Review – 6 year term to Nov, 2026

Communications:

1. Public Notice for the RI State Planning Council’s Transportation Advisory Committee accepting public comments on the Long Range Transportation Plan, Moving Forward RI – Transportation 2040 http://planri.com/documents.asp a web-based public hearing is scheduled for Oct. 29, 2020 at 5 PM
2. Memo and presentation received from Councilor Anderson addressed to the Town Administrator, Police and Fire Chiefs, Town Solicitor and Beach Commission Rep. RE: Lloyds Beach and RI Road

Consent:

1. Copy of a resolution adopted by the Tiverton Town Council supporting an Emergency Exemption for All RI Municipalities in the computation of Maintenance of Effort requirements established by RIGL 16-7-23
2. Copy of a resolution adopted by the Tiverton Town Council supporting the Use of CARES Funding as a means of state assistance during the COVID-19 Emergency
3. Letter received from NEARI, Assist. Executive Director/Uniserv, Mary K. Barden requesting, on behalf of the LC Municipal Employees Association/NEARI/NEA, that negotiations commence for a successor agreement.

Payment of Bills

All are welcome to any meeting at the town, which is open to the public. Individuals requiring communication assistance or any accommodation to ensure equal participation will need to contact the Town Clerk at 635-4400 not less than 48 hours prior to the meeting.
Minutes of a Town Council virtual meeting held October 8th, AD 2020 via Video and Tele-Conferencing at 7:00 o’clock PM. Councilors present acknowledged by roll call: Lawrence G. Anderson, Paul J. Golembeske, Gary S. Mataronas, Andrew W. Moore and Robert L. Mushen. Also in attendance: Allyson Quay, Esq. and Police Chief Raynes.

The Council President polled his fellow Councilors as to their wishes to add an item to the agenda by unanimous consent, all councilors voted in the affirmative to place the following on the agenda under communications #5: Request from the United Congregational Church to hold an in-person candlelight vigil service on Friday, Oct. 30, 2020 beginning at 4:30 PM on Pikes Peak.

**Motion made by Councilor Mataronas, receiving a second by Councilor Anderson, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen):** To accept, as written the September 24, 2020 Town Council meeting minutes.

Announcements:

1) In January 2021 the Council will appoint a Charter Review Commission who will be charged with reviewing the local Home Rule Charter and offer recommendations, if any, for suggested improvement. Letters of interest should be submitted to the Town Clerk on or before January 7, 2021
2) Welcome Jonathan Bednarz who has graduated from the Fire Fighter Academy and will begin filling a shift within the Fire Department.

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen):** To place on file the Department Head Reports for the following:

1. Town Clerk
2. Treasurer and Collector of Taxes
3. Fire Department
4. Police Department
5. Town Administrator
6. Tax Assessor
7. Public Works
8. Building

A memo was received from the Town Administrator announcing the award of the Town Landing Parking Lot Restoration Project bid to Wilkie Excavating, Inc. in the amount of $76,127.50.

Councilor Anderson announced the delay in a meeting with Shaun O’Rourke of RI Infrastructure Bank concerning the Municipal Resiliency Program. The meeting is rescheduled for Oct. 13th, 2020. Additionally a project proposal has been received from the Beach Commission which will be considered during the process to determine eligibility.

A memo received from the Town Administrator informed the Council of a decision made by the Administrator, Police Chief Raynes, Town Solicitor and Councilor Golembeske to recommend not changing the Town Code as it relates to hunting on Sundays. Chief Raynes noted that there seemed to have been some confusion between the Town and RI DEM. James Lawson of RI DEM noted that it was not their intent to ask the Town to change the ordinance, but rather to ratify a past practice allowing a farm to have a permit to hunt deer or bird due to crop damage. Councilor Anderson suggest the Council still consider looking at the ordinances to see if any amendments might be proper. After a brief review the following was voted:

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen):** To ask the Town Administrator, Police Chief, Town Solicitor and Councilor Golembeske to review the comments recently made by RI Dept. of Environmental Management and return with a recommendation as it relates to regulating hunting on Sundays by farmers with special permits for crop damage control.
Councillor Anderson submitted a lengthy report on his observations with regard to the LC Agricultural Conservancy Trust during his term as liaison to the LC ACT. He stated no actions were necessary at this time as he offers this for future reference. Comments were offered of gratitude for his report and agreement that various boards should consider facilitating further discussion with the LC ACT specifically the Housing Trust.

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To accept a report offered by Councillor Anderson relating to his observations of the LC Agricultural Conservancy Trust and to place said report on file for future use.

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To re-appoint Lucie DuHamel and Nancy Osborn as trustees on the LC Free Public Library Board of Trustees for terms which will expire Oct. 15, 2023.

Motion made by Councillor Mataronas, receiving a second by Councillor Anderson, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To interview two individuals who have expressed a desire to fill an unexpired term on the LC Free Public Library Board of Trustees due to a recent resignation.

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To schedule interviews with Shirley Hardison and Claudia McNeil for Oct. 22, 2020 beginning at 6:30 pm regarding their interest in serving on the LC Free Public Library Board of Trustees and to consider appointment later that evening.

A single bid was received for the Fall Roadside grass and brush mowing. After a brief discussion the following was voted:

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To award the Fall Roadside grass and brush mowing bid to Rich McGee & Son Excavating in the amount of $8,200.

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To support a proposal made by the Board of Directors for the Stay At Home In Little Compton, Inc. made as follows:

1. To purchase a new or used shuttle van
2. To apply the trade-in of the Little Compton 12 passenger van to the purchase price of the newly acquired van
3. To title the vehicle to the Town of Little Compton
4. The Town of Little Compton will insure, maintain, and provide gas to operate
5. Stay at Home in Little Compton, Inc. will continue to operate the van for transporting Elder Citizens of Little Compton

Motion made by Councillor Golembeske, receiving a second by Councillor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To hold the Community Day Celebration on August 7, 2021 as proposed by the Fireworks Committee, contingent upon COVID restrictions in place at that time.

Motion made by Councillor Mataronas, receiving a second by Councillor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To grant permission to the Little Compton Brownie Troop 1100 to use 32 Commons on Thursday afternoons from 2:45 PM to 4:45 PM beginning October 29, 2020, contingent upon following CDC guidelines.
Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): That the recommendation of the Tax Assessor for the cancellation of the following taxes be granted under Section 44-7-14 of the General Laws of Rhode Island, as amended:

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<tr>
<th>Acct/Name</th>
<th>Plat/Lot/MV</th>
<th>Abatement Value</th>
<th>Abatement Value</th>
<th>Year</th>
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<td>Barr, David &amp; Smith, Lisa A.</td>
<td>035/0006-3</td>
<td>$323,700</td>
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<td>2020</td>
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<tr>
<td></td>
<td>035/0006-4</td>
<td>$220,400</td>
<td>$1,320.20</td>
<td>2020</td>
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</table>

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To grant permission to Mary Parker to use the James Hayes Recreational Field and Veteran’s Field on October 17th from 3 – 4 for a “March for Democracy” acknowledging that the Recreation Committee has confirmed availability of the fields.

A communication has been received from Nicole Piker concerning threats made to her and her family. Councillor Mushen made the following statement: May I just comment that sneaking onto someone's property to post a derogatory message of any sort, has no place in a community that respects decency?

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To accept for filing a communication received from Nicole Piker concerning a trespassing incident and threats made to her family acknowledging this is an active investigation by the Police Department.

Communications #5 added by unanimous consent: A request made by the United Congregational Church to use Pikes Peak on October 30th from 4:30 pm for a service will be taken by Council President Mushen for action and report at the next Council meeting. No vote was taken.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To place the consent calendar on file as follows:

1. Copy of a letter sent to Chief of Police announcing the approval of the placement of a Stop Control on the Commons by the State Traffic Commission. Said Stop Control has been installed and noted during the meeting of Sept. 24, 2020.
2. Letter from the Big Brothers and Big Sisters of RI organization with a profit-share check to the Town in the amount of $347.82 as a result of the collection bins located at our Town Transfer Station.
4. Letter to Councilor Mushen from Phil Casey wondering where he stands on the issue of parking at the Town Landing.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To authorize the Treasurer to pay an invoice to East Coast Construction in the amount of $24,231.00, contingent upon receipt of a Performance Bond responsive to the RFP for the Long Pasture Drainage Project.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To authorize the payment of an invoice received from Pannone Lopes Devereaux & O'Gara LLC for services of William O’Gara, Esq. in the amount of $225.00 to be paid out of legal consulting.
Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): That the bills be allowed and ordered paid as follows: $55,963.74

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<td>National Grid - Adamsville Street Lights</td>
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<td>Safeguard Perfect Partner - Treasurer</td>
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<td>Liston Portables - Civic Rec</td>
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<td>Adam Yorks - Conservation Commission</td>
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<td>Fall River Modern Printing Co. - Zoning Board</td>
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<td>Stay at Home in LC - FTM Appropriation</td>
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<td>Cox - Computer - Town Hall</td>
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<td>Crystal Rock - Police Dept.</td>
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*The meeting was declared adjourned by the Council President at 7:46 PM.*

Carol A. Wordell, CMC, Town Clerk
Town of Little Compton  
Office of the Council President  
Post Office Box 226  
Little Compton, Rhode Island 02837  

DRAFT  
23 October 2020

Special Directive 5 (Revision 3)

Extension of State of Emergency in Town of Little Compton

WHEREAS, the State of Rhode Island has declared a state of emergency due to the outbreak of COVID-19, as set forth in Executive Order 20-02 issued by Governor Gina M. Raimondo on 9 March 2020, and

WHEREAS, the Little Compton Town Council on 16 March 2020 adopted a Declaration of Emergency and Emergency Ordinance due to the outbreak of the COVID-19 virus, confirming the authority of the Town Council President to declare a state of emergency in the Town of Little Compton, and

WHEREAS, said state of emergency in the Town was renewed and amended on 30 April 2020, and subsequently has been extended through 23 October 2020, and

WHEREAS, further extension is in order due to the continued danger to health and safety.

NOW THEREFORE, the Little Compton Town Council on 22 October 2020 extended the state of emergency in the Town through 20 November 2020, unless renewed, modified or terminated by subsequent order.

__________________________________________
Robert L. Mushen  
President, Little Compton Town Council
20 October 2020

MEMORANDUM

To: Town Council

Re: Request of the United Congregational Church to use Pikes Peak

At the Council meeting of 8 October 2020, I was given for action the subject request to use Pikes Peak on 30 October for an in-person candlelight vigil service beginning at 4:30 PM.

I spoke with the Office Manager and confirmed the following:

- State guidelines for outdoor gatherings for houses of worship will be followed.
- Masks and social distancing will be required.

I conveyed the following determinations by the Fire Chief:

- Actual candles with open flame may be used by participants.
- The presence of a firefighter is not required.

On behalf of the Town Council, I approved the request.

[Signature]

Robert L. Mushen
Town Council President
Dear Town Councilors,

I am writing to you in support of Shirley Hardison’s candidacy for the Board of Trustees of the library. I have worked with Shirley in her capacities as President and Vice-President of the Wellness Center in conjunction with my firm managing the Center’s endowment. I have found her to be very driven, passionate, and conscientious in her representation and work for the Center.

Please let me know if I can answer any questions or provide additional information.

Respectfully yours,

Scott

Scott Morrison
BRAVE Family Advisors
Helping Secure Your Financial Future
www.BRAVEFamilyAdvisors.com
T: (917) 392-9268
To the Town Council for The Town of Little Compton:

As Chairperson of the Board of Trustees for the Little Compton Free Public Library, I write in full support of Shirley Hardison in her application to become a Trustee for the Little Compton Free Public Library. I have known Shirley socially for several years and she is positive, diplomatic, and bright. She has boundless energy as evidenced by her service over the years in many capacities on many boards in Little Compton. Those include Chairperson, United Congregational Church Board of Trustees; past President and current Vice President of Friends of the Little Compton Wellness Center; President Sogkonate Garden Club, as well as many others.

I know Shirley best through her association with the Little Compton Wellness Center. She served on that board for many years with my husband, David Osborn. At the bottom of this email is David’s endorsement of Shirley.

Thank you and I hope to see Shirley join the Board of Trustees as I know she will be a tremendous asset to our organization.

Best,
Nancy Osborn,
Chairperson, Board of Trustees for the Little Compton Free Public Library

Shirley is an exceedingly competent and effective leader and participant in the Board environment. While working with her on the Wellness Center Board, I observed her unique ability to set and achieve important goals, coalesce opinion and engender a positive governance and decision-making atmosphere. She is a great listener and makes people feel that they’ve been heard, that their opinions count, and that the group has moved the considered issue forward. She is a pleasure to work with and, in my experience, is one of the best Board members I’ve known.

David Osborn, Founder & Executive Chairman

M: 781.314.9355 | www.buildingengines.com | We’re Hiring!
To the Town Council of Little Compton R.I.,

I highly recommend Shirley Harrdison as A Trustee for the Little Compton Library. I have worked closely with Shirley on the Little Compton Wellness Center Board for over 4 years. She joined the Board and then became President of the Board while I was serving my term. She led the LCWC with a responsible and caring focus. She respected others ideas and participation. Shirley spent many long hours devoted to the LCWC!

Lucie DuHamel
I am recommending Shirley to be on the Board of the Brownell Library. I have known Shirley since she moved into town across the street from my parents, Ed and Jane Cissel and better when she became a member of the Congregational Church. Shirley jumped right in working in the Thrift Shop and then became a member of the Board of Trustees, eventually becoming the President. Now Shirley is on the Board of Deacons.

Shirley would be a perfect for Brownell Library. She is a competent and hard worker. Plus Shirley is easy to work with and just fun to be around.

I highly recommend her.

Mary Suttell
Dear Carol,
I am writing in support of Claudia McNeil’s application for appointment to the Brownell Library Board. I hope you are able to pass on this recommendation to the Town Council.

I have known Claudia for over ten years and consider her a good friend and a strong, active member of our community. No one is more involved in the life of our library than Claudia; she is a voracious reader but is also active in many of the groups the library sponsors, from Knitting to Recipes, and she attends most of the special events. Claudia also taught an Art course for children one summer at the library. She is devoted to this community, attending Town Council meetings regularly.

Claudia would bring her passion for literature, her far-ranging intelligence and imagination, her familiarity with children’s literature, her humor, and her great photography skills to this position. I hope you will give her candidacy very strong consideration.

Sincerely,
Jana Porter

Jana P. Porter
45 Quicksand Pond Road
Little Compton RI 02837
401-649-2500

I refuse to accept the view that mankind is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and brotherhood can never become a reality.
— Martin Luther King, Jr.
STATE OF RHODE ISLAND
Department of Administration
STATE PLANNING COUNCIL
Division of Statewide Planning
235 Promenade Street, Suite #230
Providence, RI 02908-5870

Office: (401) 222-7901
Fax: (401) 222-2083

PUBLIC NOTICE
Rhode Island State Planning Council’s Transportation Advisory Committee

Long Range Transportation Plan
Moving Forward RI – Transportation 2040
http://planri.com/documents.asp

The Rhode Island State Planning Council’s Transportation Advisory Committee (TAC) is accepting public comments on the State’s Long-Range Transportation Plan (LRTP), Moving Forward RI-Transportation 2040. The purpose of the Long-Range Transportation Plan is to develop a vision for surface transportation in the state over a 20-year planning horizon. This vision is comprehensive, covering all surface transportation modes (e.g. automobiles, trucks, public transit trains and buses, and ferries) and sectors (e.g. commuter travel, freight and goods movement). Long-Range Transportation Plans are informed by a variety of resources including federal and state transportation and land use policy, transportation data sets, funding availability and projections, and public and stakeholder outreach. The LRTP is an essential element of the state’s transportation planning process.

Moving Forward RI is a groundbreaking from LRTPs of the past for three primary reasons:

1. It is a data-driven and goals-oriented plan;
2. The goals are SMART — Specific, Measurable, Achievable, Relevant, and Time-Based; and
3. It Incorporates a Bicycle Mobility Plan and the first-of-its-kind Transit Master Plan.

In addition, this LRTP has been established in coordination with other statewide transportation plans and processes including the Highway Safety Improvement Program, the Strategic Highway Safety Plan, the State Asset Management Plan for the National Highway System (NHS), the Rhode Island Freight and Goods Movement Plan, the Bicycle Mobility Plan, the Transit Master Plan, and the Congestion Management Process / Plan.

The Draft LRTP is available for review at http://planri.com/documents.asp or by special appointment at the offices of the Division of Statewide Planning between 8:30 a.m. and 4:00 p.m., Monday through Friday.

The TAC will accept public comments on the Draft LRTP, Bicycle Mobility Plan, Transit Master Plan, and Congestion Management Process / Plan at the web-based public hearing scheduled for October 29, 2020 at 5:00 p.m. (see information on the next page for log-in information over Zoom).
Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. https://zoom.us/j/92467449549?pwd=dXJjbWowS1NZSNicY1SUplaiZ5dz09
Passcode: 703602

Or join by phone:
Dial: (877) 853 5247 Webinar ID: 924 6744 9549
Passcode: 703602

All persons, or representative, may present their views on these items during the online public hearing before the TAC. Written comments may also be submitted via the Online Public Comment Form accessible here: http://planning.ri.commentinput.com/?id=sGTBb. All comments must be received prior to 3:30 pm on November 9, 2020

The LRTP is a transportation plan for the State of Rhode Island and your comments help to shape decisions that will be made about the transportation network in years to come.

Sincerely,

[Signature]
Linsey J. Callaghan
Secretary, Transportation Advisory Committee
October 9, 2020

Note: The public meeting is accessible to individuals with disabilities. Any individual requiring a reasonable accommodation in order to participate in these meetings should contact Thomas Mannock, Ph.D. at 401-222-6377 (voice) as soon as possible. Individuals requesting foreign language translation services should contact Benny Bergantino at (401) 222-1755 at least five (5) business days prior to the scheduled start of a meeting. As of March 16, 2020, Governor Raimondo has issued Executive Order 20-05, allowing for certain public meetings to be held via phone or video conference.
October 19, 2020

To: Little Compton Lloyd’s Beach/Rhode Island Road Ad Hoc Committee:
    Town Administrator Tony Teixeira
    Police Chief Scott Raynes
    Fire Chief Richard Petrin
    Solicitor Richard Humphrey
    Beach Commission representative Mikel Folcarelli

Cc: Little Compton Town Council

From: Larry Anderson, Town Council member

Subject: Lloyd’s Beach/Rhode Island Rhode Stakeholders

At its June 18, 2020 meeting, the Little Compton Council adopted the following resolution:

Motion made by Councilor Moore, receiving a second by Councilor Anderson, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To adopt the following motion as amended for vote by Councilor Moore:

To authorize the Town Administrator, the Fire Chief, and the Police Chief, one member of the Beach Commission in consultation with the Town Solicitor to develop and return to the Town Council with a proposal for a comprehensive plan for continued and safe access to Lloyds Beach for Little Compton. Residents that addresses but is not limited to the following options:

1. Consideration of Little Compton resident only parking on Rhode Island Road

2. Structural, engineering, and/or traffic-control measures to: provide for safe passage by motor vehicles, emergency vehicles, and pedestrians; control erosion and encroachment on both the town roadways and abutting private property.

3. Consideration of increasing parking on other town-controlled properties on Sakonnet Point to distribute and possibly increase public parking in the general area.

4. Recommendation for what steps may be necessary or required to accurately determine and document the rights and obligations of town residents and the Town of Little Compton on and along Rhode Island Road and to and along Lloyd’s Beach.
To my knowledge, no formal proposal or report has been provided to the Town Council, pursuant to this resolution. I don't whether your committee has met or otherwise deliberated.

In any event, I offer the attached brief PowerPoint presentation for informational purposes and as food for thought. As noted in the presentation, it does not purport to be a comprehensive account of legal or other management issues regarding Lloyd's Beach, Rhode Island Road, and other town property and resources nearby. It simply represents the product of one person's informal investigation of the history of the property encompassing Lloyd's Beach in particular.

The presentation emphasizes two points:

- Ownership interests involving Lloyd's Beach appear to have become more complex in recent decades.
- The result appears to be an increase in the number of stakeholders in decisions about and responsibility for management of and access to Lloyd's Beach.

These issues, I believe, will represent a continuing challenge for those stakeholders, including town officials such as yourselves who share some of the responsibility for overseeing and protecting the town's interests.

Thank you for your efforts on behalf of the Town, property owners, residents, and the public at large.
Lloyd’s Beach and Rhode Island Road: Who are the stakeholders?

Larry Anderson
Member, Little Compton Town Council
October 19, 2020
Slide 1: Introduction to the project
Slide 2: Map of the area
Slide 3: Land use and zoning
Slide 4: Environmental considerations
Slide 5: Mitigation measures
Slide 6: Construction schedule
Slide 7: Cost estimate
Slide 8: Financial analysis
Slide 9: Stakeholder engagement
Slide 10: Timeline and milestones
Overview

The ownership, property rights, easements, and uses of the land encompassing what is called Lloyd’s Beach, as well as the access to that property along and from Rhode Island Road, have evolved over the centuries.

This process appears to have accelerated in recent decades. While the physical appearance of the property has changed relatively little over that period, the ownership and legal interests involving the property appear to have grown increasingly complex, involving many parties—individuals, families, organizations, governments, and agencies.

The slides that follow are intended: 1) to offer a brief graphic depiction of how those property interests have evolved; and 2) to identify at least some of the current stakeholders and holders of property interests in Lloyd’s Beach and along Rhode Island Road. They do not purport to be a comprehensive record of those interests, which would include title information, judicial and legal findings and precedents, and/or other agreements regarding those property interests. This document represents my work and opinions alone.

Larry Anderson
PLEASE BE ADVISED

THAT ONLY LITTLE COMPTON PERMANENT RESIDENTS & HOMEOWNERS
AND THEIR ACCOMPANIED HOUSE GUESTS ARE
FROM YEAR TO YEAR, WELCOME TO USE, AT THEIR OWN PERIL.
THIS PRIVATELY OWNED ACCESS TO THE WEST BEACH &
IT'S ADJACENT BERM, DURING DAYLIGHT HOURS,
FOR WALKING, SWIMMING, FISHING, OR JUST QUIETLY RELAXING.

MOTOR VEHICLES - FIRES - FOOD - BEVERAGES - RADIOS
MUSICAL INSTRUMENTS & TRESPASSING ON
THE ADJACENT UPLANDS ARE PROHIBITED.

THOSE PRIVILEGES, IF ABUSED, MAY BE WITHDRAWN AT
ANY TIME IN THEIR ENTIRETY OR FOR SPECIFIC PERMITTEES.

ENJOY... BUT PLEASE LEAVE ONLY YOUR FOOTPRINTS BEHIND.
Lloyd’s Beach/Rhode Island Road Stakeholders

- Town of Little Compton (Town Council, Beach Commission, Harbor Commission)
- Little Compton “inhabitants” and residents (Rotch deed, Narragansett Real Estate Co. v. Mackenzie (1912), 1868 Sisson case, other possible court cases and legal agreements)
- People of Rhode Island and the general public (RI Constitution Article 17 “shore privileges”; State v. Ibbison, 1982)
- Property owners and residents on Rhode Island Road and vicinity
- Whitehead family/estate
- Other property, easement, right-of-way holders on Haffenreffer/former Haffenreffer properties
- The Nature Conservancy (lot 400-2)
- RI Coastal Resources Management Council (grassland conservation easement on Whitehead parcels)
- RI Department of Environmental Management (conservation easement)
Town of Tiverton
State of Rhode Island

RESOLUTION OF THE TOWN COUNCIL
NO. 2020-10-13-1

Supporting an Emergency Exemption for All Rhode Island Municipalities in the Computation of Maintenance of Effort requirements Established by RIGL 16-7-23

WHEREAS: The COVID-19 Pandemic has posed an unparalleled health threat to all Rhode Islanders, our Nation and the entire worldwide community; and

WHEREAS: As a result of the COVID-19 Pandemic, Governor Gina Raimondo declared a state of emergency in Rhode Island on March 9, 2020; and the President of the United States declared a national state of emergency on March 12, 2020; and this was followed by the unprecedented action of municipal declarations of emergency in Cities and Towns across Rhode Island; and

WHEREAS: the COVID-19 Pandemic has resulted in an unprecedented economic downturn in the United States and further severely impacting Rhode Island’s economy by causing the layoff of thousands of Rhode Islanders; and

WHEREAS: Education remains a critically important part of our economic prosperity and will be vital to Rhode Island’s complete recovery from the current worldwide Pandemic and accompanying economic downturn, and is essential to the states future fiscal security; and

WHEREAS: The Tiverton Town Council experienced a unique and unexpected significant loss of projected state guaranteed funding resulting from the agreement to host the Twin River Tiverton Casino which caused the Town to level fund education for FY2021; and

WHEREAS: Any reduction in the total state aid to education from the amount forecast by the Rhode Island Department of Education in January 2020 will create a further burden to Tiverton’s School budget with an insufficient local maintenance of effort allocation, which will cause the Town to take funds from its restricted fund balance, causing the Town to add whatever is required to meet the mandated maintenance of effort per RIGL 16-7-3 to be included in an additional tax levy to make up said shortfall to the required general fund reserve mandate of the local Home Rule Charter for Tiverton, thereby providing a significant financial impact and potential academic inequities, thus increasing achievement gaps for the students of Tiverton in the event of a reduction in State aid due to the economic repercussions of the COVID-19 Pandemic; and with similar impacts to be felt across Rhode Island Cities and Towns; and

WHEREAS: A reduction in State Aid and increasing costs stemming from COVID-19 related RIDE and State health and education requirements will therefore require the Tiverton Town Council and all other similarly affected municipal governing bodies to appropriate additional local funds for education in excess of their adopted budgets for the fiscal year 2021 to ensure that Tiverton and all other School Districts will meet the State mandates articulated in the Rhode Island Department of Elementary and Secondary Education’s Basic Educational Program.
NOW, THEREFORE, BE IT RESOLVED: That the Tiverton Town Council respectfully requests, that in order to meet its moral and legal obligation to guarantee that all students receive an adequate, equitable and meaningful education, that the Rhode Island General Assembly enact legislation that provides the Town of Tiverton and all other Rhode Island Cities and Towns, shall have an emergency exemption in the computation of the maintenance of effort requirements established by RIGL 17-7-23 for fiscal year 2021 or any succeeding fiscal year thereafter as follows: Emergency Exemption from RIGL 16-7-23 for the Town of Tiverton and all other Municipalities: To the extent that the Tiverton Town Council and other Rhode Island Municipalities appropriates additional local funds to their School Department that exceeds their adopted budget for fiscal year 2021 to offset reductions in forecasted state aid to education and increased COVID-19 costs, the additional appropriation shall not be used in the computation of the maintenance of effort requirements established by RIGL 16-7-23 for the fiscal year 2021 or any succeeding fiscal year thereafter.

BE IT FURTHER RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives, and the Governor.

This Resolution shall take effect upon passage.

ATTEST:

\[Signature\]

Nancy Mello, Town Clerk

Adopted on this 13th day of October 2020 by the Tiverton Town Council.
RESOLUTION OF THE TOWN COUNCIL
NO. 2020 – 10-13-2

Supporting the Use of CARES Funding as a Means of State Assistance during the COVID-19 Emergency

WHEREAS: The Governor and municipal leaders across the state have declared a state of emergency as a result of COVID-19; and

WHEREAS: Municipal leaders have worked cooperatively and productively with the state administration to respond to and contain the virus; and

WHEREAS: The Town of Tiverton has incurred unbudgeted and non-reimbursable expenditures associated with its direct efforts to respond to and contain the virus; and

WHEREAS: Cities and Towns across the state have been given guidance that there will be delays in receiving reimbursements from the Federal Emergency Management Agency (FEMA) for qualifying COVID-19 related expenses; and

WHEREAS: The State has received $1.25 billion dollars under the Federal Government’s stimulus CARES Act’s Coronavirus Relief Fund to cover state and municipal expenditures associated with containing and combatting the COVID-19 emergency; and

WHEREAS: The United States Department of Treasury has stated that the Coronavirus Relief Fund may be used for COVID-19 expenses not otherwise reimbursable by FEMA, including public safety expenditures, personnel costs associated with the COVID-19 response and the mandatory local match for expenses submitted to FEMA; and

WHEREAS: According to the National League of Cities, Rhode Island is one of only three states that have not yet distributed any portion of their Coronavirus Relief Fund to local governments in support of the expenditures incurred; and

WHEREAS: Cities and Towns across Rhode Island incurred significant loss of revenues attributed to COVID-19 and continue to face additional potential revenues risks resulting from the local economic impact of COVID-19, including possible reductions of state aid to education programs, lower collection rates of property and business taxes, and a reduction in other business taxes as
a result of a stalled economic recovery, all of which could exceed one hundred million dollars; and

WHEREAS: The State has withheld and reduced scheduled state aid payments, payments in lieu of taxes, and other local state subsidies in excess of fifty million across the state through the beginning of August 2020; and

WHEREAS: The State has not yet completed or passed an annual budget for Fiscal Year 2021, creating even greater uncertainty and expectations regarding state aid to local governments and educational program; and

NOW, THEREFORE, BE IT RESOLVED that the Tiverton Town Council calls upon State Legislature and Governor to develop and execute a plan for distributing a portion of the Coronavirus Relief Fund to cities and towns, taking into consideration both unbudgeted and unreimbursed expenditures and lost revenues by each city and town across Rhode Island as a result of the COVID-19 emergency; and

BE IT FURTHER RESOLVED that the Tiverton Town Council urges the State’s General Assembly to fully fund the state education funding formula at the FY2021 projected levels as of January 2020 and to support total state aid to local governments at the same aggregate levels as in FY2020, and

FURTHER RESOLVED that a copy of this resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives and the Governor.

ATTEST:

Nancy Mello, Town Clerk

Adopted on this 13th day of October 2020 by the Tiverton Town Council.
October 7, 2020

Mr. Robert Mushen, President
Little Compton Town Council
Little Compton Town Hall
40 Commons
P.O. Box 226
Little Compton, RI 02837

Dear Mr. Mushen:

Please be advised pursuant to Title 28, Chapter 9.4 of the General Laws of the Rhode Island, I hereby request, on behalf of the Little Compton Municipal Employees Association/NEARI/NEA, that negotiations commence for a successor agreement. The Union agrees to waive the 10-day requirement (28-9.4-5).

Thank you in advance for your attention to this matter.

Sincerely,

Mary K. Barden
Assistant Executive Director/UniServ

Cc: Sean Martin, President, Little Compton Municipal Employees Association (EMAIL)
    Antonio Teixeira, Town Manager (EMAIL)