Date posted: APRIL 19, 2022 by 4:00 P.M.

All items on this agenda are to be discussed and/or acted upon.

TOWN OF LITTLE COMPTON
Town Hall – 40 Commons
Little Compton, RI

TOWN COUNCIL

MEETING OF APRIL 21, 2022

Live streaming at
https://www.youtube.com/channel/UCNoKeQBPl33aEtqzOXHO9g

AGENDA

7:00 P.M.

Salute to the Flag

Announcements:

Presentations to Council:

1. Report on LC Conservation Commission Study “Do We Have Enough Water in Little Compton?” presented by Don McNaughton
2. Update from the United Congregational Church on the North Garden final design

Approval of Minutes -
April 7, 2022
April 14, 2022
April 18, 2022

Department Head Reports:

1. Police Department – March 2022 Activity Report
2. Fire Department – March 2022 Monthly Report

Old Business:

1. Sitting as the Board of License Commissioners, the Council will discuss options available to them with regard to an Application for a Class BV Retail Beverage License received from Dionysus Acquisitions LLC d/b/a Carolyn’s Sakonnet Vineyard for premises located at 162 West Main Road, more specifically out of a building with an address of 53 Winery Road as newly numbered by the E-911 system.
   a. Letter from Larry Anderson regarding the application before the Council and related zoning, both existing and potential proposed amendments, as discussed in past years regarding agricultural allowed uses.
b. Letter from the Zoning Official, Peter Medeiros, dated March 16, 2022 to the Town Council offering his opinion on the application and its potential impact on the use of the property.

New Business:

1. Request from the Beach Commission to approve the submission of a grant pre-application to National Fish & Wildlife Foundation for a study to develop a strategy and plan to prepare and preserve Little Compton Town Beaches.
2. Proclaim April as Fair Housing Month
3. Confirm appointment of Donald T. Gomez as the representative to the CRMC for Little Compton.
4. Update from Councilor McHugh (liaison to the Little Compton Agricultural Conservancy Trust) concerning its Strategic Committee Report and Farmer Recruiting Report.

Board of License Commissioners:

1. Request from the LC Game Club for a Class F-1 one day Retail Beverage License for a Surf & Turf dinner on April 30, 2022 at the facility on John Dyer Road.

Communications:

1. Resolution adopted by the Coventry Town Council supporting passage of Senate Bill 2295, An Act Relating to Waters and Navigation – Inspection of Dams and Reservoirs, which allows RI Dept. of Environmental Management to assess administrative penalties for failure to comply with emergency action plans.
2. Resolutions adopted by the Coventry Town Council and Burrillville Town Council condemning the Russian invasion of Ukraine.
3. Resolution adopted by the Coventry Town Council supporting Senate Bill 2341 and House Bill 7834, which will require maintenance of sidewalks along state highways to be the responsibility of the state.
4. Letter received from US Dept. of Interior, Fish and Wildlife Service announcing its Report to Congress: John H. Chafee Coastal Barrier Resources System Hurricane Sandy Remapping Project which was transmitted to Congress on April 5, 2022.
5. E-mail received from Richard Kafinoski addressed to the Council, the Beach Commission and the LC Agricultural Conservancy Trust. Said e-mail spoke of beach closing policies as well as the recent purchase of Almy Creek and access over Oliver Lane.
6. Resolution adopted by the Charlestown Town Council supporting House Bill 8055, a bill that provides, in part, a definition of the high tide line.

Consent:

1. Copy of a letter sent to the House Municipal Government & Housing Committee by the Town of Hopkinton expressing strong opposition to House Bill 6676 relating to taxation – levy and assessment of local taxes, specifically relating to solar systems.
2. Resolution adopted by the Tiverton Town Council in opposition to House Bill 6638 and Senate Bill 2340 which would prohibit single-family residential zoning in municipalities with populations over twenty-thousand.

3. Resolution adopted by the Burrillville Town Council and the Tiverton Town council opposing Senate Bill 2244 and House Bill 7198 – which would allow an arbitration process to include the right of an unelected arbitrator to “…enter into and execute an effective and binding collective bargaining agreement.”

4. Resolution adopted by the Burrillville Town Council opposing Senate Bill 2557 and House Bill 7829 mandating translation services plans as an excessive unfunded mandate.


Payment of Bills

Consent Agenda - All items listed 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.

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.
In 2021, the Little Compton Conservation Commission continued its multi-year study to better understand the Town’s freshwater resources.

**Background**

Little Compton’s Comprehensive Plan, last updated in 2018, highlights the importance of protecting our freshwater resources. Such protection is critical, given our town’s reliance on private wells and individual septic systems, and the prohibitive cost of installing public systems.

Further, surveys conducted among residents over the years have consistently ranked water protection and availability as the most important Town considerations. Yet before the Conservation Commission’s study, there had been no systematic effort to try to understand the quantity of freshwater available in our wells for domestic and agricultural needs.

**Conservation Commission Study**

In collaboration with URI researchers, Dr. Thomas Boving and Jeeban Panthi, the Conservation Commission launched a multi-year research project in 2019 to better understand our freshwater resources. Little Compton sits almost entirely atop fractured bedrock, a geological condition that complicates efforts to predict the quantity of water available to our residents and farms. However, changes in water quality can serve as an indication of whether we have enough water for current use and future needs.

In our fractured bedrock setting, we do not have a water-laden aquifer from which to pull, nor is there water coming from “elsewhere” to feed our wells. Instead, whatever water we have available to us comes from precipitation (rain and snow) that has worked its way down into the cracks and fissures of our bedrock, eventually seeping into our wells. When the amount of precipitation changes, the amount of freshwater available to us changes in relatively short order.

In the summer of 2021, we carried out the third year of our study, replicating the well sampling procedure that we had done in 2019 and 2020. For 2021, we sampled the wells of 159 Town residents, slightly more than we had done in 2020.

We measured the well water samples for their electrical conductivity, a simple and inexpensive way to estimate the amount of dissolved solids in the water. High levels of Total Dissolved Solids (TDS) in drinking water could indicate the presence of salt water, septic system residue, or run-off from fertilizers. By monitoring changes in TDS results over a period of years, we will better understand the relationship between precipitation and groundwater quality, and be able to track any evidence of water quality degradation, which could signal water quantity concerns.
What Do The Study’s Data From 2019 to 2021 Show Us?

First and foremost, we are grateful to the 159 residents who participated in our 2021 study, and to the many others whose wells we couldn’t include due to capacity constraints. For the second year in a row, we reached our goal of sampling well water from 10% of Little Compton’s households, geographically distributed all across town.

With three years of study now behind us, we can begin to form some insights and draw some hypotheses about our natural water systems here in Little Compton. Future study will allow us to challenge and confirm that thinking.

As the chart below shows, the last three years have brought varying degrees of precipitation to Little Compton: 2019 was comparatively wet, 2020 was dry and 2021 was more or less in line with our Thirty Year average of precipitation:
This precipitation variability has proven to be a valuable study condition as it allows us to see in real time the impact that more and less precipitation has on Total Dissolved Solids (TDS) in our well water.

Based on three years of TDS levels, our very first take-away is just how quickly this measurement moves in relation to precipitation levels. There appears to be very little lag time between a year’s precipitation activity and the resulting TDS levels. In fact, with some of our well measurements taken in July, and others in September, we see differences in TDS within months.

The chart below shows precipitation and TDS by year, clearly indicating that the more it rains and snows, the lower the levels of Total Dissolved Solids.

<table>
<thead>
<tr>
<th>Year</th>
<th>Average TDS (ppm)</th>
<th>Annual Precipitation, Oct to Sep (Inches)</th>
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<tbody>
<tr>
<td>2019</td>
<td>196</td>
<td>61.6&quot;</td>
</tr>
<tr>
<td>2020</td>
<td>271</td>
<td>40.5&quot;</td>
</tr>
<tr>
<td>2021</td>
<td>248</td>
<td>49.4&quot;</td>
</tr>
</tbody>
</table>

This happens for two major reasons. First, the same fissures and cracks in our bedrock that feed freshwater to our wells sometime also connect to the salt water in the ocean and bay that surround Little Compton. When precipitation has been plentiful, there is sufficient freshwater in the cracks and fissures to hold back the saltwater from reaching our wells. However, during periods of low precipitation, when there is less freshwater, the saltwater is able to advance further into the fissures and cracks, and reach wells in close proximity to the coast. This is known as “salt water intrusion”. Unfortunately, freshwater demand also rises in periods of drought, as homes and farms use more water for irrigation (lawns and crops) and recreation (pools), thus increasing the chance of salt water intrusion.

Second, during periods of low precipitation, there is less freshwater to dilute the impact of our septic system leach fields, and of home and farm fertilizer use. Thus, as precipitation ebbs, the main drivers of Dissolved Solids increase: sea salt, septic residue and fertilizer.

To highlight the impact of precipitation activity on the level of Total Dissolved Solids, the maps below show, through different colors, the measurements across town for TDS for each of the three years of our study: 2019, 2020 and 2021. Again, remember that 2019 was wet, 2020 dry and 2021 close to normal:
A few things to note in these maps. First, we clearly see lower levels of Total Dissolved Solids across town in both 2019 and 2021, the two wetter years of the three. Second, we see in each of the maps small areas of very high TDS readings. These elevated measurements are usually signs of individual wells adversely affected by a highly local source of TDS or contaminates. Third, and finally, we note that the low-lying area of Sakonnet Point shows higher TDS levels than other areas in town. This, we surmise, is due to saltwater reaching wells near the coast. In particular, the driest year, 2020, resulted in the highest TDS levels around the harbor at Sakonnet Point, supporting our hypothesis that there was less freshwater available to hold back seawater from infiltrating wells.

Are We Able to Draw Any Conclusions at this Early Stage?

Our three years of results seem to confirm just how critical precipitation is to the amount of freshwater we have available for use across town. While that is not a surprise, the seeming speed with which freshwater levels respond to annual precipitation is.

If we had large reserves of freshwater held in aquifers below us, then we would expect that it would take annual precipitation longer to effect TDS changes in our drinking water. The fact that precipitation levels so quickly affect TDS readings is indication that our freshwater resources, particularly near the coast, are finite in nature. It hints at our vulnerability to drought and, in coastal locations, to saltwater intrusion that will be exacerbated by sea level rise.

While climate change models have forecasted that precipitation in the Northeastern United States is likely to increase, the benefits to Little Compton of more rain may not be noticeable. Models
April 21, 2022 Report to Little Compton Town Council
Little Compton Conservation Commission Study
"Do We Have Enough Water in Little Compton?"

suggest that increased precipitation will come as heavier rains over short periods of time, with excess rainwater running off to the ocean and bay before it has a chance to percolate into our bedrock.

Further, our summers are getting hotter, and longer. With population swelling around Town at the same time, water use is at its highest. If we were to see several dry years in a row, it is possible that wells near the coast would suffer from saltwater intrusion.

What Comes Next?

We do recommend that homeowners test their well water periodically. Continued diligence will help protect water quality. Please contact your plumber, or Alyson McCann at URI Cooperative Extension alyson@uri.edu to get more information on private well testing (https://web.uri.edu/safewater/private-well-testing-and-protection/).

With results from three years now in place, we plan to continue our TDS sampling program in 2022. With repeated sampling, we can better gauge if changes in the results indicate evidence of longer-term water quality degradation, and thus water quantity concerns.

Our 2022 program will be conducted over the upcoming summer months. If you participated in 2019, 2020 or 2021, we will contact you for your permission to again sample your well. If you have given us your name in the past, but we have been unable to include you in the study to date, we will make every effort to include your well this year, but can make no promises. If you are totally new to the study, we ask that you go to our website https://littlecomptonwaterstudy.com/ where you will find a link to complete a short survey.
Good morning, Bob and Carol,

I am writing on behalf of the United Congregational Church's North Garden group and am requesting time on the Town Council meeting agenda for Thursday, April 21. Representatives from our group would welcome the chance to speak in person with the Town Council about the church's North Garden project, the construction for which is likely to get underway in the next week or so. Please let me know if that will be possible.

Our group would like to update the Town Council on the project, including our fundraising efforts to date both within the church community and the town community, and our evolving partnership with the Tree Committee to possibly replace the few trees along South of Commons (across from the Commons Lunch) that the church removed late winter per the recommendation of the Tree Warden. Our group would also welcome the chance to begin a dialogue with the Town Council about the possibility of some state road projects occurring in the coming months and if/how these projects might affect the North Garden project (e.g. curb cuts, streetlights, utility poles and conduits, etc.).

I have attached the design plans for the project, which highlight the hardscape and planting elements, as well as a recent Sakonnet Times story that summarizes the project.

I look forward to hearing from you!

Best,
Tara Bradley

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TARA M. BRADLEY, Fine Gardening
Little Compton, RI 02837
(978) 505-2640
UCC plans new garden, benches at The Commons

BY TED HAYES
thayes@eastbaymedia.com

Come fall, there will be additional space for residents to come to the Commons and spend time under the trees, watching the leaves turn.

The United Congregational Church plans to install a garden with public seating areas on the north lawn of the church, across from the Brownell Library. The landscape beautification project will also include stone walking paths along Willow Avenue, and a permanent, accessible ramp to replace a temporary wooden ramp that was installed last year.

"We recently completed extensive safety and accessibility renovations to the church, including a new welcoming universal access entrance to the north side," said Edith Borden, a Little Compton resident and a member of the church's board of trustees. "Our plan is to add a new garden space along the north lawn that we hope will be used by community members as an outdoor gathering area in the heart of the town."

The garden design was done by John Gwynne, a Little Compton resident and nationally known landscape architect. His design aims to achieve an outdoor space "that will be beautiful yet simple in design. Utilizing the green space on both sides of the church between Willow Avenue and the cemetery at the Commons, the plans call for the installation of understory trees and shrubs (a combination of flowering evergreen, deciduous, and coniferous species) and seating areas on the lawn, amid the new layers of greenery.

"The space has been designed to feel like a historic village green with a plain, handsome central lawn with seats," Gwynne said. "While flowering shrubs will add some ornament while helping screen some existing parking. The idea is to make the space look and feel like it has always been part of the Commons."

The project will likely begin this spring and will be completed by late fall. The church has allocated funds to cover the installation of the new, permanent ramp as part of the building renovations, and the central lawn and sidewalk will be raised in elevation, ultimately allowing for greater universal access to the grounds and the church building.

A new garden with public benches will be built this year on a spot of land just north of the United Congregational Church at Little Compton Commons.

The remainder of the North Garden project will include the landscape installation, the outdoor seating spaces, and bluestone pavers for the walkways, to more closely match materials at the historic south entrance to the church, across from Wilbur's General Store.

"Real stone will be utilized, both big antique bluestone pavers and real granite steps," Gwynne said. "It's the historic center of our village."

Church member Carol Beach, who is spearheading the fund-raising effort for the project, shared, "We cannot imagine a more important time to invest in this transformative and beautiful, outdoor space." Beach noted this effort is a unique public/private effort and said the creation of the garden on the Commons will ultimately demonstrate what is possible when the church and the greater Little Compton community come together in a single effort of vision, hope, and generosity.

Beach said she is thrilled that several early champions of the project, both from within the church's congregation and from the local community, have stepped forward with generous donations. She is especially grateful to count BayCoast Bank among the leading champions; the bank provided a generous grant to support the North Garden, she said.

"BayCoast Bank's early and generous commitment to support the creation of the North Garden is truly a gift to our community."

A focused fund-raising effort for the project continues. Anyone interested in joining the effort by donating to it is encouraged to send a tax-deductible contribution to UCC of LC, PO Box 506, Little Compton, RI 02837. Questions can be directed to the church office at 635-9472 or via e-mail at office@ucclittlecompton.org.
GENERAL NOTES
1. EXISTING CONDITIONS WERE OBTAINED FROM DRAWINGS PREPARED BY IDEA
2. THE CONTRACTOR SHALL MANAGE ALL NEEDED CONSTRUCTION
MATERIALS AND HANDLE ALL NEEDED CONSTRUCTION
PERMITS. THE CONTRACTOR SHALL ALSO PAY ALL FEES AND POST ALL SIGNS
ASSOCIATED WITH THE SAME AND COORDINATE WITH THE LANDSCAPE
ARCHITECT THE CONSTRUCTION.
3. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL
CONSTRUCTION APPARATUS AND METHODS.
4. CONSULT ALL OF THE DRAWINGS FOR COORDINATION REQUIREMENTS
BEFORE COMMENCING CONSTRUCTION.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL CONDITIONS IN THE
FIELD AND REPORT DIFFERENCES BETWEEN PLANS AND ACTUAL
CONDITIONS TO THE LANDSCAPE ARCHITECT IMMEDIATELY.

LEGEND
- ALIGN
- BEER
- CENTERLINE
- LIGHT FIXTURE
- CONCRETE LINE PAVERS
- GRAVITE PAVERS
- BLUESTONE PAVERS
- PROPOSED WALL

BASE PLAN
Minutes of a Town Council meeting held on April 7th, A.D. 2022 at 6:30 o’clock PM held in in-person format at the Town Hall, Council Chambers, 40 Commons, Little Compton, RI. Members present: Paul J. Golembeske, Andrew Iriarte-Moore, Gary S. Mataronas, Patrick McHugh and Robert L. Mushen. Also in attendance: Antonio Teixeira, Town Administrator and Police Chief Raynes.

Interview conducted with candidate Stewart Braman for a vacancy in the LC Police Department. Chief Raynes explained that Mr. Braman is to be considered a lateral transfer if offered employment. He has been through the Police Academy and previously worked for Middletown for a short period. After the interview was conducted the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To authorize Police Chief Raynes to proceed with the hiring of Stewart D. Braman as a Jr. Probationary Patrolman, contingent upon successful completion of standard conditions.

At 6:47 PM the Council President declared a brief recess until 7:00 PM where those present recited the Pledge of Allegiance to the Flag. Richard S. Humphrey, Town Solicitor and Fire Chief Petrin were also in attendance at this time.

Announcement:

1) The local Declaration of Emergency enacted as a result of the pandemic has expired as of 3/31/2022 due to House Bill 2022-H7256 SubA where the General Assembly declared the Governor would no longer have power to extend the Gubernatorial Orders as of March 31, 2022 unless 2022 – H7256 SubA was amended or extended. The Town Council President’s authorized emergency authority to act without a full council vote additionally expires. Councilor Mushen is grateful to see the State and Town moving toward normal operations of government.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To approve, as written the March 22, 2022 Town Council meeting minutes.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To approve, as written the March 24, 2022 Town Council meeting minutes.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To place on file the Town Clerk’s Department Head Report for March 2022.

A motion was made and seconded to accept the Department Head Report of the Town Administrator, discussion ensued.

The Town Administrator reviewed his report for all present noting various projects currently in progress. Councilor McHugh asked for more details regarding the Municipal Resiliency Projects, specifically the South Shore Beach project. Councilor Mataronas raised concerns that the Beach Commission may be considering a fall construction date rather than this spring noting that he believes filling the area in now will benefit from the summer traffic packing the area down prior to winter storms potentially washing the loose gravel away. Councilor McHugh noted for the Administrator that there are significant potholes at the east entrance of Veterans Field that need to be addressed. He
also asked if the Playground is inspected annually, to which the Administrator responded in the affirmative and that William Moore is currently being certified to conduct those inspections for the Town.

Councilor Mushen stated he would ask the Municipal Resiliency Team to speak with the Beach Commission to clarify the timing of the project construction as it would relate to both funding needs and seasonal weather concerns.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To place on file the Town Administrator’s Department Head Report for March 2022.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To place on file a Memo received from the Town Clerk informing the Town Council of the upcoming transition of vendors for Land Evidence/Records Management System within her office.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To re-appoint Suzanne Madden to serve as the Assistant Moderator for calendar year 2022.

Fire Chief Petrin reviewed with the Council that two (2) Firefighter positions are currently vacant. He proposes that those vacancies be filled with lateral transfers. He noted specifically that a former LC Fire Fighter, Jason DaSilva is available to return to Little Compton. He did leave in 2015 for another department, but has determined he would rather return to the employ of Little Compton if given the opportunity.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To offer as a lateral transfer employment to Jason DaSilva without need to interview by the Council acknowledging his credentials as NFPA level 1 & 2, as well as EMT cardiac certified, effective immediately.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To hold a meeting on April 14th beginning at 3:30 pm to conduct two (2) interviews with prospective candidates for a vacancy remaining in the Fire Department and to hold an executive session at 4:30 pm regarding litigation.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To authorize the Council President to discuss the town’s current agreement with Effluent Technology for the town’s wastewater treatment facility located in the Commons and to execute an updated renewal of the Operations & Maintenance Agreement if deemed appropriate.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To allow the Town Administrator to advertise two (2) Request for Proposals for 1) Town Auditing Services and 2) General Contractor Services for repairs and construction to the Town Hall.

Councilor McHugh questioned if the town would use a Clerk of the Works or General Manager. He was reminded that the town did seek and RFP for a General Manager receiving a single bid proposal in excess of $200,000.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To ratify the actions of the Town Administrator to hire a
temporary employee, Ms. Ellen Toner, to cover the office of the Tax Assessor due to medical and bereavement leave which left the office unattended, said expense will be taken from the education funds line item within the department due to the unusual circumstances.

At 7:27 PM the Town Council sitting as the Board of License Commissioners voted the following:

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To grant a Class F, one day Retail Beverage License for each of the following Summer Concert Series dates sponsored by the LC Community Center operating from 6 pm to 8 pm, specifically each Wednesday in August on the 3rd, 10th, 17th, 24th and 31st.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To grant permission to the Republican Town Committee to re-schedule an Antique Car show from June 12th to June 11th and to further secure June 26th as a rain date, both dates have been confirmed as available by the Recreation Committee Field Coordinators.

Motion made by Councilor Mataronas, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To grant a Mobile Food Establishment License to 1899 LLC d/b/a LaCosta Lobster & Tacos, contingent upon meeting all state and local requirements.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, all in favor (Golembeske, Mataronas, McHugh, Mushen) Councilor Iriarte-Moore abstained from voting: To agree with the City of Woonsocket to oppose Senate Bill S-2557 and House Bill H-7829 which would mandate the establishment of a municipal translation services plan.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To proclaim April 24, 2022 as Armenian Genocide Remembrance Day in Little Compton.

Motion made by Councilor Golembeske, receiving a second by Councilor Iriarte-Moore, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To place on file documents received from RI Resource Recovery Corp. documenting recycling rates for municipalities and the FY2023 Municipal Solid Waste Cap Allocations.

Councilor Mataronas would like to see our recycling rate increased, while Councilor Iriarte-Moore asked if we could dispute the value set by RIRRC for our seasonal adjusted population. The Town Administrator will investigate further.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): To place on file consent item #1 - Copy of a letter from the State Traffic Commission to Police Chief Raynes documenting a change in speed limit for East Main Road (a state road) to 35 mph based on a speed study. Signage installation will be completed through RIDOT Maintenance Division in April 2022.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen): That the bills be allowed and ordered paid as follows: $50,718.45

Paul's Press - Tree Committee funds $89.00
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<th>Description</th>
<th>Amount</th>
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<td>Rob's Auto Care Inc - Police Dept.</td>
<td>$74.00</td>
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<td>West Place Animal Sanctuary - Police Dept.</td>
<td>$458.00</td>
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<td>WB Mason - Police Dept.</td>
<td>$21.49</td>
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<td>Crystal Rock - Police Dept.</td>
<td>$134.00</td>
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<td>Verizon - Police Dept.</td>
<td>$82.83</td>
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<td>AT&amp;T Mobility - Police Dept.</td>
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<td>AT&amp;T Mobility - Police Dept. ($837.85)</td>
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<td>IIA Fire Department Testing - Amb. Reimb. Fund</td>
<td>$2,819.80</td>
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<td>Boundtree - Amb. Reimb. Fund</td>
<td>$3.40</td>
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<td>Boundtree - Amb. Reimb. Fund ($3,794.17)</td>
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<tr>
<td>Firematic Supply Co. Inc. - Amb. Reimb. Fund</td>
<td>$346.72</td>
</tr>
<tr>
<td>Regal Interiors Inc. - capital funds PSC (moisture mitigation)</td>
<td>$3,347.50</td>
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<td>Flooring Solutions - capital funds PSC (moisture mitigation)</td>
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<td>Bulldog's Performance Plus, LLC - Fire Dept.</td>
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<td>Bulldog's Performance Plus, LLC - Fire Dept ($4,963.85)</td>
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<td>Anna's Uniform Supply Inc. - Fire Dept.</td>
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<td>Fire Inc. - Fire Dept.</td>
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<td>Stay At Home Inc. - FY22 appropriation balance</td>
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<td>RITCCA - Clerk, canvassing</td>
<td>$40.00</td>
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<tr>
<td>Everlasting Designs - Computer</td>
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<td>Effluential Technologies - Wastewater Treatment Facility</td>
<td>$1,302.50</td>
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<tr>
<td>GoTo Services - Public Safety Complex</td>
<td>$1,125.00</td>
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</table>
GoTo Services - Town Hall $1,180.00
Everlasting Designs - Computer old missing invoice Jan $1,500.00
WB Mason - Canvassers - Town Hall $31.70
Casey Oil - Public Safety Complex $457.14
Casey Oil - 32 Commons $108.42
Casey Oil - Public Works $172.55
Casey Oil - Town hall $426.65
Eagle Leasing - Transfer Station $228.24
Richard S. Humphrey - Legal services $3,087.50
auth. Three separate memorial donations to be made $150.00

Being no further business before the Council the meeting was declared adjourned at 7:36 PM.

Carol A. Wordell, CMC, Town Clerk
Minutes of a special Town Council meeting held on April 14th, A.D. 2022 at 3:35 o’clock PM held in in-person format at the Town Hall, Council Chambers, 40 Commons, Little Compton, RI. Members present: Paul J. Golembeske, Andrew Iriarte-Moore, Gary S. Mataronas, Patrick McHugh and Robert L. Mushen. Also in attendance: Fire Chief Petrin.

This special meeting of the Council is for the purpose of interviewing two (2) candidates applying to fill a vacancy within the Fire Department. After the interviews concluded the Councilors voted the following:

**Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, all in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen):** To authorize Fire Chief Petrin to proceed with the hiring of Shene L. Newton as a Firefighter/EMT in the Little Compton Fire Department, contingent upon successful completion of standard conditions.

The Council took a brief recess until 4:26 PM to wait for Counsel to arrive for the next item on the agenda. Present at this time: All five (5) Councilors and Girard Galvin, Esq. counsel for the following matter.

At 4:26 PM the Town Council President polled his fellow Councilors as to their wishes to go into executive session under RIGL Section 42-46-5 (a)(2) – Litigation, status of Carolyn’s Sakonnet Vineyard vs. Eliason/Carlson CA.No.NC 2017-0241 and potential litigation, all voted in favor (Golembeske, Iriarte-Moore, Mataronas, McHugh, Mushen).

Attorney Galvin gave a status update on the Carolyn’s Sakonnet Vineyard vs. Eliason/Carlson litigation CA.No.NC 2017-0241. The newer members of the council asked for copies of documents relating to the case. The Town Clerk will supply what is in the vault files. A new order has been rendered by the Court which will be supplied to the Town by Attorney Galvin.

Discussion then ensued regarding the same establishment potential litigation that may occur depending on any final decision made by the Council with regard to an application for a Class B Retail Beverage License by Dionysus Acquisitions LLC d/b/a Carolyn’s Sakonnet Vineyard. This subject will be placed on the April 21, 2022 Town Council meeting for vote.

Councilor Mataronas left the meeting at 5:34 PM.

At 5:42 PM the Town Council President polled his fellow Councilors as to their wishes to come out of executive session under RIGL Section 42-46-5 (a)(2) – Litigation, status of Carolyn’s Sakonnet Vineyard vs. Eliason/Carlson CA.No.NC 2017-0241 and potential litigation, all voted in favor (Golembeske, Iriarte-Moore, McHugh, Mushen).

With no further business before the Council the Council President declared the meeting adjourned at 5:43 PM.

Carol A. Wordell, CMC, Town Clerk
Minutes of a special Town Council meeting held jointly with the Charter Review Commission on April 18th, A.D. 2022 in-person format at the Town Hall, Council Chambers, 40 Commons, Little Compton, RI. Members present: Paul J. Golembeske (arrived at 6:40 PM), Patrick McHugh and Robert L. Mushen. Absent: Andrew Iriarte-Moore, Gary S. Mataronas.

The Charter Review Commission, having a quorum, opened its meeting at 6:30 PM. The Town Council did not reach a quorum until 6:40 PM at which time the declaration was made known a quorum had been reached.

The Charter Review Commission reviewed several proposals for amendment to the Charter with the Council and a single attendee, Larry Anderson.

Sections 301 and 304 – insert language to allow the town meeting to be held under extenuating circumstances through the third full week of June, to recognize the role of the Town Clerk in warning the town meeting, and to clarify voting of articles on the warrant during the meeting. Mr. Anderson wondered if the current Moderator, Scott Morrison had seen these proposals.

Sections 502, 503 & 505 – housekeeping, clarifies the current operating process within town officials and removes Tax Collector who is no longer an elected official.

Sections 603, 605, & 606 – housekeeping, reflects current structure of offices and adds a new 612 – Finance Director to Town Officials.

Section 103 and 710 – lengthy discussion ensued over the perception by some that the LC Housing Trust (LCHT) would not hold real estate in the name of the town, therefore it would not be bound, in their opinion, by section 103. The Charter Review Commission did attempt to secure an opinion from the Town Solicitor. Councilor McHugh spoke of his desire to see the LCHT seek separate legal counsel for itself similar to how the LC Agricultural Conservancy Trust (LCACT) operates separately. He also feels they need to determine what documents govern how they can acquire property. All agreed in principle that the LCHT needs some clarification on its operating documents (Charter, By-Laws, Non-profit filing with the state).

Chairman Haire noted that this board only has jurisdiction over recommending amendments to the Charter. A proposal has been discussed considerably by this board with the intent of assisting the Housing Trust to be able to purchase property in a more timely fashion. Councillor Mushen noted that the Housing Trust was created with the intention to advocate for Affordable Housing. Comparisons continued to be made to the LCACT. The Council agreed to reach out to the Commission should they want any further review on this subject.

Section 204 – reduces 30 minute to 15 minutes for the Canvassers to wait for final voting on elections at FTM.

Section 902 – Fire Dept. – amendment to mirror the Fire Dept. with the Police Dept. language. Add also, “and town ordinances” in both sections to the language already proposed by the Charter Review Commission.

The Commission will review notes taken this evening and return to the Council with a finished product.

With no further business before the Council this special meeting was declared adjourned at 7:46 PM.

Carol A. Wordell, CMC, Town Clerk
MEMORANDUM

Date: April 5, 2022

To: The Honorable Town Council

From: Chief Scott N. Raynes

Subject: Monthly Report for March 2022

March-2022 Patrol Activity

Totals
Calls responded to 900
Formal Complaints received 33
Complaints closed this month 1
Complaints closed (previous month) 2
Motor vehicle citations issued 8
Motor vehicle warning issued 64
Criminal Arrest 7
Violation of Town Ordinances 2
Accident investigated 7
Burglar alarms 13
Reported deaths 1
Total Gallons of gasoline used 562
Mileage 8487
Breaking & Entering 0
Larceny 2
Value of Stolen Property $21.00
Little Compton Police Department
60 Simmons Road
Town of Little Compton, Rhode Island
Office of the Police Chief

MEMORANDUM

March 2022 Police Overtime Hours

<table>
<thead>
<tr>
<th>Description</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sick Leave replacement</td>
<td>62</td>
</tr>
<tr>
<td>Personal leave replacement</td>
<td>0</td>
</tr>
<tr>
<td>Vacation replacement</td>
<td>16</td>
</tr>
<tr>
<td>Training replacement</td>
<td>20</td>
</tr>
<tr>
<td>Court</td>
<td>0</td>
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<tr>
<td>Town Detail</td>
<td>0</td>
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<td>Private Detail</td>
<td>5</td>
</tr>
<tr>
<td>Patrol Supplement</td>
<td>0</td>
</tr>
<tr>
<td>Comp-time replacement</td>
<td>8</td>
</tr>
<tr>
<td>Injured on duty replacement</td>
<td>0</td>
</tr>
<tr>
<td>DARE</td>
<td>0</td>
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<tr>
<td>Military leave replacement</td>
<td>8</td>
</tr>
<tr>
<td>Investigation</td>
<td>0</td>
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</table>

March 2022 Dispatch Overtime Hours

<table>
<thead>
<tr>
<th>Description</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sick leave replacement</td>
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<tr>
<td>Personal leave replacement</td>
<td>0</td>
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<tr>
<td>Vacation replacement</td>
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<td>Training replacement</td>
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<td>Holiday replacement</td>
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<tr>
<td>Comp-time replacement</td>
<td>4.5</td>
</tr>
<tr>
<td>Weekend replacement</td>
<td>24</td>
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</tbody>
</table>
MEMORANDUM

March 2022 Part-time Dispatch Hours

Weekend replacement: 32
Vacation replacement: 0
Sick leave replacement: 0
Personal day: 0
Holiday replacement: 0
Training replacement: 34.25
Comp-time replacement: 0

March 2022 Town fuel log

<table>
<thead>
<tr>
<th>Gasoline</th>
<th>December</th>
<th>March</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1 Unused</td>
<td>76,010.0</td>
<td>76,010.0</td>
<td>0</td>
</tr>
<tr>
<td># 2 Fire department</td>
<td>26,270.0</td>
<td>26,397.4</td>
<td>127.4</td>
</tr>
<tr>
<td># Unused</td>
<td>4,223.5</td>
<td>4,223.5</td>
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</tr>
<tr>
<td># 4 Maintenance</td>
<td>37,959.1</td>
<td>38,418.1</td>
<td>459.0</td>
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<tr>
<td># 5 Highway Department</td>
<td>2,531.0</td>
<td>2,531.0</td>
<td>0.0</td>
</tr>
<tr>
<td># 6 Senior Bus</td>
<td>5,083.3</td>
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</tr>
<tr>
<td># 7 Beach Commission</td>
<td>1,410.1</td>
<td>1,410.1</td>
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</tr>
<tr>
<td>#8 Police Department</td>
<td>1,667.5</td>
<td>2,119.2</td>
<td>451.7</td>
</tr>
</tbody>
</table>

Total Gasoline: 1,038.1
**Little Compton Police Department**  
**60 Simmons Road**  
**Town of Little Compton, Rhode Island**  
**Office of the Police Chief**

**MEMORANDUM**

<table>
<thead>
<tr>
<th>Diesel</th>
<th>December</th>
<th>March</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1 Fire Department</td>
<td>39,713.4</td>
<td>39,953.6</td>
<td>240.2</td>
</tr>
<tr>
<td># 2 Unused</td>
<td>11,043.7</td>
<td>11,043.7</td>
<td>0.0</td>
</tr>
<tr>
<td># 3 Highway Department</td>
<td>5,279.1</td>
<td>5,279.1</td>
<td>0.0</td>
</tr>
<tr>
<td># 4 Maintenance Department</td>
<td>3,559.2</td>
<td>3,646.4</td>
<td>87.2</td>
</tr>
<tr>
<td># 5 Old Senior bus</td>
<td>362.8</td>
<td>362.8</td>
<td>0.0</td>
</tr>
</tbody>
</table>

**Total Diesel: 327.4**

Respectfully,

[Signature]

John Faria  
Lieutenant
Little Compton Fire Department

Monthly Report

March 2022
### Incidents By Time And Day

<table>
<thead>
<tr>
<th></th>
<th>SUN</th>
<th>MON</th>
<th>TUE</th>
<th>WED</th>
<th>THR</th>
<th>FRI</th>
<th>SAT</th>
<th>TOTALS</th>
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<tbody>
<tr>
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<td></td>
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<tr>
<td>2 AM</td>
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<tr>
<td>3 AM</td>
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<td>6 AM</td>
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<tr>
<td>7 AM</td>
<td>1</td>
<td>2</td>
<td>1</td>
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<td>1</td>
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<td>8 AM</td>
<td>2</td>
<td>1</td>
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<td>9 AM</td>
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<td>7 PM</td>
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<td></td>
</tr>
</tbody>
</table>

**TOTALS** | **5** | **13** | **11** | **12** | **6** | **10** | **7** | **64**

**GRAND TOTAL: 64**

### NFPA Part III: Fire And Incident Type Breakdown

**A Structure Fires By Fixed Property Use**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Deaths</th>
<th>Injury</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Private Dwellings (1 or 2 Family)</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>10000</td>
</tr>
<tr>
<td>2. Apartments (3 or More Families)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3. Hotels and Motels</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4. All Other Residential</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>5. TOTAL RESIDENTAL FIRES</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>10000</td>
</tr>
<tr>
<td>6. Public Assembly</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7. Schools and Colleges</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8. Health Care and Penal Institutions</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9. Stores and Offices</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10. Industry, Utility, Defense, Laboratories</td>
<td>0</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>11. Storage in Structures</td>
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<tr>
<td>12. Other Structures</td>
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<tr>
<td>13. TOTAL STRUCTURE FIRES</td>
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</table>

**B Other Fires And Incidents**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Deaths</th>
<th>Injury</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>14a. Fires in Highway Vehicles</td>
<td>0</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>14b. Fires in Other Vehicles</td>
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<td>0</td>
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<tr>
<td>15. Fires Outside of Structures With Value Involved</td>
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<td>0</td>
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<tr>
<td>16. Fires Outside of Structures With No Value Involved</td>
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<td>0</td>
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<tr>
<td>17. Fires in Rubbish</td>
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</tr>
<tr>
<td>18. All Other Fires</td>
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<td>19. TOTALS FOR ALL FIRES</td>
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<table>
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<tr>
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<td>21. False Alarm Responses</td>
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Little Compton Fire Department
Incident Analysis
From 03/01/2022 Thru 03/31/2022

22. Mutual Aid 4 0 0 0
23a. Hazmat Responses 0 0 0 0
23b. Other Hazardous Conditions 3 0 0 0
24. All Other Responses 20 0 0 0
25. TOTAL FOR ALL INCIDENTS 64 0 0 10000

NFPA Part IV: False Alarm Responses

<table>
<thead>
<tr>
<th>Type Of Call</th>
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<tr>
<td>1. Malicious, Mischievous Fall Call</td>
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<td>2. System Malfunction</td>
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<td>3. Unintentional</td>
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<td>4. Other False Alarms</td>
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Incident Type Category Breakdown

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<tr>
<th>Incident Type Category</th>
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<tbody>
<tr>
<td>[100-199] Fire/Explosion</td>
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<td>[200-299] Overpressure Rupture</td>
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<td>[300-399] Rescue Call</td>
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<tr>
<td>[400-499] Hazardous Condition</td>
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<tr>
<td>[500-599] Service Call</td>
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<td>[600-699] Good Intent Call</td>
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<td>[700-799] False Call</td>
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<td>[800-899] Severe Weather/Natural Disaster</td>
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Fixed Property Type Category Breakdown

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<tr>
<td>[100-199] Public Assembly Properties</td>
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<td>[200-299] Educational Properties</td>
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<td>[300-399] Institutional Properties</td>
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<td>[400-499] Residential Properties</td>
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<td>[500-599] Mercantile Properties</td>
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<td>[600-699] Utilities/Technology/Farming/Mining</td>
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<tr>
<td>[700-799] Manufacturing Properties</td>
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<td>[800-899] Storage Properties</td>
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<td>[900-999] Special Properties</td>
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Fire District Breakdown

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<th>Occurrences</th>
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<tr>
<td>NORTH WEST</td>
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<td>WESTPORT</td>
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Personnel Breakdown

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<tr>
<th>Name</th>
<th>Pers.</th>
<th>Form</th>
<th>Time</th>
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<td>Firefighter Adam M Cabral</td>
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<td>Lieutenant David A Nickerson</td>
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<td>Lieutenant James B Vandal</td>
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<td>Firefighter Jonathan J Bednarz</td>
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<td>Lieutenant JUSTIN P TEIXEIRA</td>
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<td>Probationary Firefighter Matthew S Pierce</td>
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<td>Firefighter Michael W Martino</td>
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<td>Captain Randall A Watt</td>
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<td>Chief Richard G Petrini</td>
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Apparatus Breakdown

<table>
<thead>
<tr>
<th>Apparatus</th>
<th>Responses</th>
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<tr>
<td>Fire Chief's Car</td>
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<td>Fire Prevention Car</td>
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Incident Type

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<tr>
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<tbody>
<tr>
<td>Building fire</td>
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<tr>
<td>Chimney or flue fire, confined to chimney or flue</td>
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<tr>
<td>Overpressure rupture of boiler from air or gas</td>
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<tr>
<td>EMS call, excluding vehicle accident with injury</td>
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<tr>
<td>Motor vehicle accident with injuries</td>
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<tr>
<td>Motor vehicle accident with no injuries.</td>
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<tr>
<td>Hazardous condition, Other</td>
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<tr>
<td>Vehicle accident, general cleanup</td>
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<tr>
<td>Service Call, other</td>
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<tr>
<td>Lock-out</td>
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<td>Public service assistance, other</td>
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<td>Public service</td>
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<tr>
<td>COVID TESTING</td>
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</table>
Assist invalid 1 1.6
Dispatched & canceled en route 1 1.6
Smoke scare, odor of smoke 2 3.1
Smoke detector activation due to malfunction 1 1.6
Alarm system sounded due to malfunction 1 1.6
TOTAL 64 100.0

Aid Given or Received

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<tr>
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<tr>
<td>Mutual aid received</td>
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<tr>
<td>Mutual aid given</td>
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<tr>
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Apparatus Use

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<td>Other</td>
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<td>Suppression</td>
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For Districts: All
For Situations: All
For Jurisdictions: All
For Street(s): All
For Location: All
March 16, 2022

Subject Property. 162 West Main Road
Little Compton, R.I. 02837
Cynthia Rocha, General Manager Carolyn’s Sakonnet Vineyard

RE: Application to Little Compton for B/V Retail Beverage License

Dear Town Council:

The Little Compton building and zoning department acknowledges that the subject property is a legal non-conforming use with an operating vineyard and winery. The subject property is located in a residential zone within the town of Little Compton. The current use of the subject property is in compliance with the Little Compton Zoning Ordinance, chapter 14.

The property is primarily used for agricultural purposes and operates an active winery. See zoning table 14-3, table 1a-a1.

The owners of the property are applying for a b/v retail beverage license, which may coincide with a restaurant setting, as per the proposed menu. Per use table 1-a use c13, a restaurant is not permitted in a residential zone.

Peter Medeiros
Zoning Official
Larry Anderson  
PO Box 205  
15 Snell Road  
Little Compton, RI 02837  
401-635-8653  
larryanderson1@verizon.net

Sent via email to: Little Compton Town Clerk Carol Wordell,  
cwordell@littlecomptonri.org

April 5, 2022

Little Compton Town Council  
PO Box 226  
40 Commons  
Little Compton, RI 02837

RE: Carolyn’s Sakonnet Vineyard application for BV retail beverage license

Dear Council Members:

At its March 24, 2022 meeting, the Little Compton Town Council received and considered an application for a BV retail beverage license from Dionysus Acquisition LLC, doing business as Carolyn’s Sakonnet Vineyard (“Vineyard”). At the meeting, Town Solicitor Richard Humphrey recused himself “from any and all matters involving Dionysus Acquisition, LLC and Carolyn’s Sakonnet Vineyard,” citing a “prior recusal dated February 20, 2020.” The Council at its March 24 meeting, after a brief presentation from Ms. Cynthia Rocha, general manager of the Vineyard, and a brief conversation about the application, decided to take the matter up again at a later date in consultation with attorney Girard Galvin.

As you well know, there has been considerable concern and controversy about activities and uses at the Vineyard in recent years, which resulted in protracted litigation.¹ I believe that

¹ By way of disclosure, I was actively and publicly involved in various ways in supporting the plaintiffs, Vineyard neighbors Brian and Natalie Ellason and Christina Carlson, in the lawsuit they filed against the Little Compton Town Council and the Vineyard in 2017. I believed then, and believe still, that their lawsuit was principled and well-founded, based on legitimate legal concerns. My support included, among other things, financial donations to defray their legal expenses, cooperation with others to raise additional support for
the Vineyard’s BV license application demonstrates clearly that the settlement arrived at by
the parties to the litigation by virtue of a May 17, 2019 Superior Court Judgment did not
resolve the underlying issues that generated the litigation in the first place. Moreover,
despite opportunities to do so dating back to at least 2011, the Town Council itself has not
taken other measures within its authority, namely amendment of the town’s Zoning
Ordinance, that could clarify which non-agricultural activities can be permitted in support of
such agricultural business, and do so in a manner fair to all town residents and property
owners—especially and importantly others involved in agricultural business enterprises.

This is a complicated issue and story. For current purposes, however, I think the issue
confronting the Council is not that complicated. First, I believe it would be inappropriate
and premature for the Council to approve this application at this time, in light of the March
16, 2022 opinion issued to the Town Council by Zoning Official Peter Medeiros, a copy of
which I received from Mr. Medeiros on April 4. (It is not clear why this letter was not
included in the Council’s document packet for its March 24 meeting or why it wasn’t cited
at that meeting.) The full text of this letter (a copy of which is attached) reads as follows:

Dear Town Council:

The Little Compton building and zoning department acknowledges that the subject
property is a legal non-conforming use with an operating vineyard and winery. The
subject property is located in a residential zone within the town of Little Compton.
The current use of the subject property is in compliance with the Little Compton
Zoning Ordinance, chapter 14.

The property is primarily used for agricultural purposes and operates an active
winery. See zoning table 14-3, table 1a-a1.

legal expenses, and procuring public documents for their attorneys. When I was elected to the Town Council
in November 2018, I in effect became a defendant in the lawsuit. I immediately requested an Advisory
Opinion from the RI Ethics Commission regarding my situation, which by then involved a counterclaim filed by
the Vineyard against the plaintiffs, in which the Vineyard also indicated that the counterclaim might be
expanded to include unnamed “John Does.” The Commission advised that I recuse myself from matters
involving the Vineyard as long as the litigation was pending, which I did. Based on the terms of a settlement
among the parties in May 2019, all claims and counterclaims were withdrawn. I then returned to the Ethics
Commission to request another Advisory Opinion based on the changed circumstances. The Commission
advised that I need no longer recuse myself from Council business involving the Vineyard.

Apparently some elements of the litigation are still unresolved. The RI Judiciary Public Portal indicates that a
hearing was held in Rhode Island Superior Court before Associate Justice Brain P. Stern on March 31, 2022, to
consider a “Motion to Vacate” and a “Motion to Confirm Arbitration Award” filed by parties to the suit, which
I believe include the plaintiffs and the Vineyard. The Public Portal indicates that at the hearing the motions
were “Heard and Reserved” by Judge Stern.
The owners of the property are applying for a b/c retail beverage license, which may 
coincide with a restaurant setting, as per the proposed menu. Per use table 1-a use 
c13, a restaurant is not permitted in a residential zone. [emphasis added]

Peter Medeiros
Zoning Official

Mr. Medeiros’s opinion letter is concise and to the point. The proposed use for which the 
Vineyard seeks a BV license, he concludes, “is not permitted in a residential zone.” Based 
on that opinion alone, a BV license cannot and should not be granted, at least at this time. 
Mr. Medeiros writes that the application for the license “may coincide with a restaurant 
setting, as per the proposed menu.” In fact, the materials accompanying the application 
presented to the Council by the Vineyard on March 24 leave little doubt that its plan is to 
operate a 50-seat restaurant throughout the year. In her March 18, 2022 letter to the Council, 
Ms. Rocha expressly described the use associated with the requested BV license as an 
“extension of our current product line and business model,” requiring “additional revenue 
streams to survive” and as a “restaurant experience” in which “Our hours of operation will 
vary seasonally.” In a March 21, 2022, email addressed to Town Clerk Carol Wordell to 
accompany the application, Ms. Rocha wrote: “The restaurant seating would be for 50 
seats.” The proposed use, as described, appears to be a new use—a restaurant—not just an 
expansion and intensification of any current use.

Again, as Mr. Medeiros noted in his letter, “a restaurant is not permitted in residential zone.” 
The fact that the Town Council may previously have issued victualling licenses to the 
Vineyard, as I believe Council President Mushen noted at the March 24 meeting, does not 
address the zoning issue identified by Mr. Medeiros or make previous “café” uses legal 
under the Zoning Ordinance. I don’t believe that it is within the Council’s legal purview to 
try to resolve or address what is essentially a zoning matter by granting yet another 
license—in this case a BV retail liquor license. Furthermore, Mr. Medeiros stated in his 
letter that his department “acknowledges that the subject property is a legal non-conforming 
use with an operating vineyard and winery.” His letter appears to distinguish a “vineyard 
and winery” from a “restaurant.” In any case, he does not expressly or specifically identify a 
restaurant as “a legal non-conforming use” of the property.

As a citizen who has followed this matter closely, especially since 2015, and who had some 
familiarity with it as a Council member from 2018-2020, I believe the Council cannot 
consider the Vineyard’s current request until the zoning issue is addressed and resolved. In 
light of the Zoning Official’s opinion, the Vineyard can—and perhaps must—seek relief in 
the form of a variance from the Zoning Board of Review if it wishes to operate a full-service 
restaurant on the property. The logic of Mr. Medeiros’s letter would seem to require such 
relief before the Council could consider the BV license application.

At the same time, the Council can and should immediately return to the initiative that I and 
others have urged since at least 2016 and that the Council and the Planning Board pursued 
during 2019-2020: namely reviewing and considering amendment of the Zoning Ordinance 
to define clearly accessory uses associated with agricultural properties—including possible
restaurant operations in a residential zone, perhaps subject to a special use permit. As you will recall, the Planning Board, at the Council’s specific request, developed a draft ordinance amendment for such accessory uses, which the board presented in early 2019. Members of the public and the town’s active farming community criticized and expressed concerns about elements of the draft amendment, as well as the process by which it was developed. The Council asked the Planning Board to develop a new draft, based on further input from and involvement of farmers and other citizens. It is my recollection and belief that such an effort made some progress. But with the onset of the Covid pandemic, which created impediments to meeting, and perhaps due to other considerations (such as an election season), the process ground to a halt and has apparently not been revisited or revived by the Planning Board or the Council.

The current request from the Vineyard demonstrates that this and future Councils may well be presented with continuing dilemmas, controversies, and possible litigation if they don’t address the inconsistencies and inadequacies of the current ordinance head-on and without further delay. This is all the more important due to the fact that the Town of Little Compton itself, through the Little Compton Agricultural Conservancy Trust, is no doubt the predominant owner of agricultural property and property interests such as conservation easements and deeds of development rights.

I wish to make clear that I am not opposed in principle to a restaurant operation in association with the Vineyard – or with any other legitimate agricultural operation that is compliant with conditions set forth in an amended ordinance. The Covid crisis, along with other crises in the world in this very moment, have only reinforced the importance of local agriculture and the need for the town to support such agricultural enterprises. But the town should do so in a way that treats all agricultural enterprises fairly, equally, and transparently, rather than by standards that may appear to be arbitrary or to reflect favoritism. An amended ordinance should also take into account concerns of neighbors and property owners not engaged in agriculture. I fully appreciate that other operators of agricultural businesses in town, who have acted responsibly and within the law, may be skeptical about changes to the status quo. I believe strongly, however, that a carefully and thoughtfully drafted ordinance amendment may provide opportunities for such agricultural businesses to productively augment their business activities without unduly infringing on their rights or current operations.

The current Zoning Ordinance regarding agricultural uses, as best I can tell, has not been substantially revised or revisited since 1994 or thereabouts. Much has changed during that time, both on the Little Compton landscape and in certain legal respects. For one thing, the current zoning ordinance is not necessarily consistent with, nor does it reflect the current provisions of, the Right to Farm Act (RI General Laws, Title 2, Chapter 23) or subsequent legal decisions involving that legislation (e.g., Gerald P. Zarrella Trust v. Town of Exeter, 2018). Other Rhode Island communities have amended their Zoning Ordinance to incorporate explicitly the specific uses permitted by the Right to Farm Act, as well as to include identified non-agricultural uses that may be permitted in association with agricultural enterprises, subject to certain conditions. Little Compton could and should do the same, for the benefit of farmers and non-farmers alike.
Thank you for your consideration of my concerns.

Sincerely,

[Signature]

Larry Anderson

Attachment: March 16, 2022 letter from Little Compton Zoning Official Peter Medeiros to the Little Compton Council “RE: Application to Little Compton for B/V Retail Beverage License”
Grant Request Information

Title of Project

STUDY TO DEVELOP A STRATEGY AND PLAN TO PREPARE AND PRESERVE LITTLE COMPTON TOWN BEACHES

Project Description

Hire a Consulting firm develop a comprehensive plan designing a pathway to conserve and protect the Little Compton publicly accessed beaches. The project will understand the needs of stakeholders, the natural solutions to protecting fish and bird habitat, the recreational values to the Community and the conservation of Beach assets.

Little Compton has five publicly accessible beaches that are managed by the Little Compton Beach Commission. The Beach Commission was established by legislation enacted by the State of RI in 1939. Town voters elect members to the Beach Commission and members serve without compensation.

The Beach Commission collects fees from non-residents, maintains the beaches, hires staff and works in coordination with the Town of Little Compton, neighbors, beach users and The Nature Conservancy. Town of Little Compton Beach Commission is the author of this application since it is a unit of the Town of Little Compton it has applied under the EIN of the Town.

Abstract

The project goal is to study the Town's beach assets and develop a plan that holistically looks at the beaches and develops a pathway that provides resiliency and a natural approach to preserving habitat, endangered species breeding areas, recreation and ocean access for the public.

Little Compton is a semi-rural community with a population of approx. 3500 in 28.9 sq. miles. The Town is in the SE corner of RI and faces the Atlantic Ocean. The Town is noted for its scenic beauty, farms, fishing, bio diversity, surfing and beaches. There is only one publicly accessible beach, South Shore Beach, that has adequate parking and accommodates beachgoers.

South Shore Beach is adjacent to Goosewing Nature Preserve, A Nature Conservancy property, with breeding areas for Piping Plovers and Least Terns. The Beach Commission would collaborate with Nature Conservancy on the study.

South Shore Beach is disappearing with little beach available at high tides. The parking area is bounded by a large pond and the Atlantic Ocean. Heavy rains and storms causes breaches between adjacent pond and ocean.

South Shore Beach is a regional asset and heavily used by neighboring communities. For example, Fall River, MA a neighboring community. Fall River a struggling Community with 18% of the population of 88,900 living in poverty. Neither the Beach Commission or the Town of Little Compton has the expertise to study and develop a plan to define a pathway to a resilient future for the Town beaches.

Project Location Description

Town of Little Compton
EasyGrantsID: 75589
National Fish and Wildlife Foundation – National Coastal Resilience Fund 2022, Pre-Proposal
Title: STUDY TO DEVELOP A STRATEGY AND PLAN TO PREPARE AND PRESERVE LITTLE COMPTON TOWN BEACHES
Organization: Town Of Little Compton
County of Newport
Rhode Island

Total Amount Requested: $150,000.00
Matching Contributions Proposed: $12,118.00

Proposed Grant Period: 01/02/2023 - 11/30/2023

Organization:
Town Of Little Compton
State or Local Government

City, State, Country: "
Robert Marra

Primary Contact:
Phone and E-mail: 401-635-8319 Ext: ; rmarra6@cox.net

Additional Contacts

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
</tr>
</thead>
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<tr>
<td></td>
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Matching Contributions

<table>
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<tr>
<td>Status:</td>
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</tr>
<tr>
<td>Source:</td>
<td>Town of Little Compton Beach Commission</td>
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<tr>
<td>Source Type:</td>
<td>Non-Federal</td>
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<tr>
<td>Description:</td>
<td>From FY 2021 and FY 2022 Budgets of the Beach Commission</td>
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<table>
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<tr>
<td>Source Type:</td>
<td>Non-Federal</td>
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<tr>
<td>Description:</td>
<td>The Beach Commission pledges at least 75 hours to the Study during Phase One. Using the Independent Source Data base a rate of $28.24 was applied for credit equalling $2118 for 75 hours</td>
</tr>
</tbody>
</table>

| Total Amount of Matching Contributions: | $12,118.00 |
EasyGrantsID: 75589
National Fish and Wildlife Foundation – National Coastal Resilience Fund 2022, Pre-Proposal
Title: STUDY TO DEVELOP A STRATEGY AND PLAN TO PREPARE AND PRESERVE LITTLE COMPTON TOWN BEACHES
Organization: Town Of Little Compton

The following pages contain the uploaded documents, in the order shown below, as provided by the applicant:

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<tr>
<td>NCRF Pre-Proposal</td>
<td>NFWF NCRF Project Narrative for.docx</td>
<td>Marrn, Robert</td>
<td>04/18/2022</td>
</tr>
</tbody>
</table>

| NCRF Narrative 2022    |                                         |             |                 |

The following uploads do not have the same headers and footers as the previous sections of this document in order to preserve the integrity of the actual files uploaded.
NFWF NCRF Project Narrative for
STUDY TO DEVELOP A STRATEGY AND PLAN TO PREPARE AND PRESERVE LITTLE COMPTON TOWN BEACHES

Part 1 Pre-Proposal-Project Overview

1. Project Context: Little Compton a small semi-rural Rhode Island community situated on a peninsular surrounded on three sides by ocean and river is in great danger of losing its main publicly accessible beach. The Town has five sites that access the Sakonnet River or Atlantic Ocean with only the largest site, South Shore Beach (plat 34, lot 2) 4 acres, accommodating beachgoers as well as walkers, surfers, fisher folk and leisure time seekers. South Shore Beach is family oriented and is staffed with Lifeguards and rest rooms.

South Shore Beach parking area accommodates 250-275 motor vehicle and 11 Campers for beach goers as well as people accessing Goosewing Nature Preserve, The Nature Conservancy Property (plat 34, lot 8-2) of 75 acres. The Nature Conservancy Preserve contains Goosewing Beach with over a mile of sandy beach. Goosewing Beach is among the top five beaches in RI and is only accessible by boat or vehicles parking at South Shore Beach.

Goosewing Nature Preserve has wonderful educational programs for adults and children. Most Important Goosewing Nature Preserve is a principal breeding area for the endangered Piping Plover and for threatened Least Tern. Two ponds within South Shore Beach and Goosewing Preserve have Spring and Fall Alewife (herring) runs.

The context is that serious erosion from storms, rising seas and Mother Nature will soon eliminate the current parking area available at South Shore Beach. If the past twenty years is an indication, the current parking area will be gone in 10 years or with the next major hurricane. The Town of Little Compton will lose its main beach and land access to Goosewing Nature preserve will be eliminated.

The study will include the investigation and evaluation of acquiring new parcels that would enhance current beach assets. Possibilities may exist to acquire parcels not currently in the realm of current beach assets.

Brief Summary of Town of Little Compton Beach area and Principal Use:

<table>
<thead>
<tr>
<th>Name</th>
<th>Size</th>
<th>Location Plat/Lot</th>
<th>Uses</th>
<th>Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Shore Beach</td>
<td>4 acre</td>
<td>34/2</td>
<td>All</td>
<td>Parking Area Shrinking</td>
</tr>
<tr>
<td>Town Landing</td>
<td>4.7 acre</td>
<td>14/47</td>
<td>Surfing, Fishing Leisure</td>
<td>Very Rocky and Steep</td>
</tr>
<tr>
<td>Sakonnet Harbor</td>
<td>&lt; 1 acre</td>
<td>9/430</td>
<td>Beach, Leisure</td>
<td>Small, park on Road</td>
</tr>
</tbody>
</table>

Two additional sites that are monitored by the Beach Commission (trash collection) are situated at the end of Town Roads with only roadside parking.

<table>
<thead>
<tr>
<th>Name</th>
<th>Size</th>
<th>Uses</th>
<th>Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taylors Lane</td>
<td>6</td>
<td>Surfing, Leisure</td>
<td>Road parking</td>
</tr>
<tr>
<td>Town Way</td>
<td>1</td>
<td>Leisure, Fishing</td>
<td>Road parking</td>
</tr>
</tbody>
</table>
In 2020 the Town of Little Compton was awarded $90,000 from the State of RI Municipal Resilience Program for the following: (extracted from RI Grant website). “The South Shore Beach Parking Area project includes the installation of a sediment forebay and dry swale to capture and treat stormwater runoff, provide sediment capture, and encourage infiltration.” This project is in process of issuing an RFP and will help alleviate flooding the South Shore Beach parking area entrance and will build protection at the edge of Tuniper’s pond.

2. Proposed Solutions: A solution is yet to be defined. The Beach Commission is seeking support to engage a consulting engineer/planner to work with stakeholders to:
1. develop a pathway that preserves South Shore Beach and the access to Goosewing Nature Preserve
2. develop a wholistic plan for the use and preservation of the five beach access points
3. uses achievable nature based as well as engineered solutions
4. protects habitat and community assets.
Currently the Beach Commission plans are on a year-by-year basis and work scheduled is usually repair or short-term fixes. The horizon for critical remediation to build resiliency has shortened.

3. Project Category: Community Capacity Building and Planning
The Beach Commission will direct and help its consultant identify stakeholders. Beach assets are used by people who birdwatch to people who love swimming in winter ocean water and families who treasure a day at the beach. Little Compton Ocean access is coveted by surfers and kayakers. The Beach Commission will collaborate with The Nature Conservancy who has major assets protecting habitat and cojoined access to Town Beach areas.
South Shore admission data shows that many people from other communities use South Shore Beach. Experience tells the Beach Commission that many visitors come from disadvantaged communities.

4. Communities to Benefit: Little Compton, Fall River and Tiverton will benefit from the outcome.
Tiverton is north of Little Compton and has two large beaches that border on the Sakonnet River that have similar issues. All results will be shared with interested communities.
Many communities benefit from the work, programs and use of the Goosewing Nature Center. The Little Compton has a large south and east face to the Atlantic Ocean. Ocean facing beaches tend to be used by surfers, ocean swimmers and leisure seekers.
Visitors pay fees that help support the Town beaches and in a good year provides a modest surplus to the Town coffers. Visitors support local merchants and the Beach Commission provides employment to XX part time and X full time employees. During the summer months several vendors provide food stations at South Shore Beach and two popular Surfing Schools operate at South Shore Beach, one since 2009 and the other a 501c3 was established in 2019 to help challenged children learn to surf.
The field interview portion of the consulting engagement will take place at South Shore Beach, Town Landing and Town Way. Other investigative work will take place at Little Compton Town Hall and the office of the selected consultant.
The Beach Commission data on ticket and town resident stickers indicates that the majority of South Shore Beach users are not Little Compton residents. Beach Commission employees and member suspect beach goers come from surrounding communities without ocean beaches and have easy access to Little Compton. The principal community thought to be South Shore Beach users and not Little Compton residents is Fall River, MA. For comparison here is a chart showing neighboring Tiverton, RI, Little Compton and Fall River, MA. Data is mixed between State of RI and US Census Bureau sources. Data for communities under 5000 in population for 2020 is not yet available from the US Census Bureau.

<table>
<thead>
<tr>
<th></th>
<th>Tiverton</th>
<th>Little Compton</th>
<th>Fall River</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>16.4K</td>
<td>3.5k</td>
<td>94.0k</td>
</tr>
<tr>
<td>White</td>
<td>97.2%</td>
<td>97.9%</td>
<td>77.0%</td>
</tr>
</tbody>
</table>
Hispanic  3.2%  1.7%  10.8%
Household income  $83.7K  $105.8K  $46.0K
Median Age  48.3  58.7  36.9

5. Anticipated Community and Fish and Wildlife Benefits: The Communities benefiting from Little Compton beaches is broad. People come to enjoy and use the Ocean from neighboring communities and from around the state and region. Many summer visitors/residents are from out of state and the programs at Goosewing Nature center attract a general audience. “Goosewing Beach Preserve is one of Rhode Island's most scenic spots and a favorite among visitors. Purchased in 1989 by The Nature Conservancy and partners, the 75-acre Goosewing Beach Preserve is an historic landmark. Conservancy staff have been actively managing breeding populations of globally-rare piping plover and state-threatened Least Tern for the last two decades. With the help of an extremely generous donor, TNC opened the doors of a newly constructed environmental education center in June 2010. The Benjamin Family Environmental Center is ideally situated to offer visitors a view of the many types of habitats that make up this coastal pond/barrier beach ecosystem.”

From: The Nature Conservancy Website
South Shore Beach is four acres, Goosewing Preserve is 75 acres, other beach access sites border Nature Conservancy properties. This study will define the strategy to build resiliency into Little Compton Beach to best preserve these assets for future generations.

6. Other: Little Compton has two private beach area, Briggs Beach and Warren Point Beach Club that have long waiting list, restrictive membership and high membership fees. These Clubs no longer accept names to their long waiting list. Another area, Lloyds Beach has a deed restriction limiting use to only Little Compton Residents. Parking for Lloyds Beach is very limited roadside parking in a crowded Sakonnet harbor.
In conversations with Briggs Beach (less than a mile away from South Shore Beach) management claims their beach has lost 20 plus feet over the last fifteen years to erosion and storms. All Little Compton Beaches have little area for visitors at high tide.
More people are discovering the beauty of the Rhode Island seashore and more people also see that ocean access becomes less available as the environment changes. The result has been more pressure on Little Compton public beaches.
South Shore Beach parking closes early during season and the visitors are turned away. Some try to park illegally to the ire of surrounding neighborhoods. More people are using Goosewing Beach adding risk to The Nature Conservancy mission.
Little Compton Beach Commission will seek a plan that adapts to the future and need help from experts to build the plan.
Thanks for the opportunity.
Sincerely,

Little Compton Beach Commission.
FAIR HOUSING RESOLUTION

RESOLVED: That it is the policy of the Town of Little Compton to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex or national origin; and be it further

RESOLVED: That discrimination in the sale, rental, leasing, or financing of housing, or of land to be used for construction of housing, or in the provisions of related brokerage services, on the basis of a person’s race, color, religion or national origin, is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Laws); and be it further

RESOLVED: That within available resources the Town of Little Compton will assist all persons who believe they have been discriminated against because of race, color, religion, sex, or national origin to seek equity under federal and state laws; and be it further

RESOLVED: That the Town of Little Compton hereby encourages awareness by real estate owners, developers and builders of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state or local laws or ordinances; and be it further

RESOLVED: That by order of the Town Council, the month of April in the year 2022 is hereby proclaimed as Fair Housing Month in the Town of Little Compton, Rhode Island.

Robert L. Mushen, President, Town Council
Dated: April 21, 2022

Witness:

Carol A. Wordell, CMC, Town Clerk
The Task

- Create a list of existing committees
- Craft a proposed committee structure
  - Allocate a majority of tasks to standing committees
  - Improve / streamline task allocation and management
## Committee Structure - Current & Proposed

<table>
<thead>
<tr>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Empty</td>
<td>• Executive (Chair / Vice Chair)</td>
</tr>
<tr>
<td></td>
<td>• Trustee Nomination/ Recruiting</td>
</tr>
<tr>
<td></td>
<td>• Town Council relations</td>
</tr>
<tr>
<td></td>
<td>• Partner collaborations (TNC, DEM, et al)</td>
</tr>
<tr>
<td></td>
<td>• Meeting planning / management</td>
</tr>
<tr>
<td></td>
<td>• Transfer fee administration</td>
</tr>
<tr>
<td></td>
<td>• Minutes/ records / info management</td>
</tr>
</tbody>
</table>
Committee Structure-Current & Proposed (2)

Current

- Stewardship
  - Property inspection
  - Maintenance
- Monitoring
  - Annual reporting discrepancy management

Proposed

- Stewardship (Trustee)
  - BDRs / monitoring / inspections
  - Compliance / enforcement
  - Owner communication
  - Farm leases / Lessee recruitment
  - Management Plans
- Property Maintenance (Trustee)
  - Contractor management
  - Property improvements
Committee Structure-Current & Proposed (3)

Current

• Public Outreach
  • Communication plan
  • Public facing (website/events/etc)

• Empty

Proposed

• Public Outreach (Trustee)
  • Public communication
  • Website / events / etc
  • Annual progress report

• Finance (Treasurer)
  • Financial reporting
  • Payables and receivables
  • Cash management
Committee Structure-Current & Proposed (4)

Current
• Strategic Planning
  • Strategic recommendations

• Acquisition

Proposed
• Strategic Planning (Trustee)
  • 1/5/25 year strategic plans
  • Master map(s) / database creation and management

• Land Protection (Trustee)
  • Application processing / scoring
  • Appraisal management
  • Transaction negotiation
  • Closing management
Farmer Recruiting
(and more)
3 Nov 2021
Rusty Cabot
Why?

• Keep agriculture in Little Compton’s future
  • The next generation(s)

• Help improve LCACT fee-owned land utilization
  • Re-introduce land to agricultural use

• Reflects a core interest of the Town / LCACT?
  • More on that later
Process

• Identify fee-owned property that could easily return to agriculture
  • Phase 1 is complete
  • On going review by LCACT subcommittee – annually or bi-annually
• Classify the type of agriculture best suited for each “new” property
  • Ad hoc committee of 3 – 1 horticulture, 1 vegetable, 1 livestock
  • Very generic classes of usage – pasture, tillable, “large” scale tillable, etc
  • Use to advertise for lease / initial screening of applicants
• Advertise
  • Traditional pipelines – Sakonnet Times, meetings, Town announcements
  • Other avenues – online farming forums, conferences, etc
Process (cont)

• Applicant screening
  • Ad hoc committee with commercially successful experience farming in Little Compton and/or the adjoining communities
  • Similar makeup to the classification committee
  • Provide LCACT with assessments of applicants and a recommendation

• Applicant prioritization
  • TBD – Back to core interests
  • Prioritization examples
    • Little Compton residents then...
    • First time farmers then...
    • Successful commercial farmers then...
Items for Consideration

- LC ACT engage in supporting agriculture beyond land usage
  - Examples – succession planning, regional agricultural conferences, hosting academic trials on fee-owned land...

- LC ACT consider buying and selling select future properties
  - Purchase land with existing buildings / infrastructure
  - Sell the underlying fee to a young farmer
  - Reserve an easement for development rights to ensure preservation of the property in perpetuity
  - Legal opinion?
Next Step(s)

• Our future decisions should support an overall LCACT strategy
  • We currently use the enabling legislation
  • Continuing that course will certainly preserve more land
    • In 30 years we may find that course of action left us with a lot of land but few farmers

• Recommendation
  • LCACT develop an overarching strategy that allows us to coordinate our land acquisition, communication plan, outreach, farmer recruiting, stewardship, etc
  • We schedule a short (local) off-sight to hash through our core interests as the LCACT
PETITION TO THE TOWN COUNCIL

TO THE TOWN COUNCIL OF THE TOWN OF LITTLE COMPTON, RI

The undersigned respectfully requests of your honorable board, that a license may be granted to:

THE LITTLE COMPTON GAME CLUB FOR A F-1 LICENSE FOR A "SURF & TURF" DINNER TO BE HELD ON APRIL 30, 2022 ON OUR PREMISES (85 TOWNDEVE R.

________________________________________
Signature

In Town Council, ______________________, ______

Read and granted ________________________________

Witness, ________________________________________

Town Clerk
TOWN OF COVENTRY

RESOLUTION

OF THE

TOWN COUNCIL

No. 15-22-5358

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF COVENTRY,

RESOLVED, That the Coventry Town Council requests that the Rhode Island General Assembly approve and enact the following Bill submitted in the February 2022 session:

1. Senate Bill 2295 ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS AND RESERVOIRS (Allows RIDEM to assess administrative penalties for failure to comply with emergency action plans relative to significant or high hazard dams and would mandate a RIEMA notification system in the event of severe weather conditions for dam advisories, watches, and warnings.)

PASSED AND ADOPTED this 4th day of April, 2022

APPROVED: 

Town Council President Ann Dickson

ATTEST: 

Town Clerk
Joanne Amiriano
RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF COVENTRY, CONDEMNING THE RUSSIAN INVASION OF UKRAINE

Whereas, on February 24, 2022, Russia launched an invasion of Ukraine, its neighbor to the Southwest. This illegal and immoral act of war is the largest conventional warfare operation in Europe since World War II; and

Whereas, Ukraine is a democracy of more than 40 million people led by its Democratically-elected President Volodymyr Zelensky. Russia is a nation of approximately 145 million led by Vladimir Putin, a former KGB agent, who has been in power in Russia since 2000 and is widely believe across the globe to be a tyrant; and

Whereas, For centuries, Ukraine and its people have suffered greatly due to actions taken by Russia. The Ukrainians declared their independence in 1917, but were invaded and defeated by Lenin and his Russian forces in 1921. From 1932 to 1933, the Ukrainian people suffered from a Stalin-induced famine, called Holodomor in Ukraine, that according to a United Nations statement in 2003, killed approximately 7-10 million people; and

WHEREAS, More recently, in 2014, Russia broke international law by invading and conquering the Crimean Peninsula from Ukraine. As a result, Russia’s actions were condemned by the United Nations and they were suspended by the G8, (Group of 8), which was an inter-governmental political forum from 1997 to 2014, consisting of the United States, Canada, United Kingdom, France, Germany, Italy, Japan and Russia, which met regularly and sought to foster stability and economic prosperity across the globe. Tragically, as recent events show, Russian President Vladimir Putin has no interest in these noble Ideas. Since 2014, Putin and Russia also sowed rebellion and violence in the Donbas region of Southeastern Ukraine, in Russia’s never-ending quest to de-stabilize the Ukrainian government and democracy in Ukraine; and

WHEREAS, Thus far, the United Nations has estimated that there have been thousands of casualties, both killed and wounded, since Putin’s illegal invasion of Ukraine began four days ago. The United Nations also estimates that the invasion has created more than 400,000 refugees; and

WHEREAS, Thankfully, the world’s reaction has been swift and almost unanimous in its condemnation of Putin’s actions. NATO is unified in its opposition to this invasion and is supplying the Ukrainian government and military with much-needed weapons and humanitarian goods. Other non-NATO nations are also assisting the Ukraine Government such as Sweden and Finland. The United Nations has
overwhelmingly condemned the Russian attack on Ukraine, and the United States, the European Union and other allies across the globe are also enacting very strict and biting economic sanctions against Russia, particularly in the banking and currency sectors. Also, almost all of Europe and its Western allies have declared their territories to be no fly zones for Russian civilian and military aircraft; now, therefore be it

RESOLVED, That this Town Council of Coventry, Rhode Island hereby declares that it vehemently opposes the illegal invasion of Ukraine by Russia and this Town Council completely supports the Rhode Island Ukrainian-American community in this time of great crisis; and be it further

RESOLVED, that the Ukrainian flag shall fly at Coventry Town Hall to show our support for Ukrainian freedom from Russian violence and oppression.

PASSED AND ADOPTED this 28th day of March, 2022

APPROVED: ____________________________
President

ATTEST: ____________________________
Town Clerk
TOWN OF BURRILLVILLE

Burrillville Town Council Resolution
Condemning the Russian Invasion of Ukraine

WHEREAS, On February 24, 2022, Russia launched an invasion of Ukraine, its neighbor to the southwest. This illegal and immoral act of war is the largest conventional warfare operation in Europe since World War II; and

WHEREAS, Ukraine is a democracy of more than 40 million people led by its democratically-elected President Volodymyr Zelensky. Russia is a nation of approximately 145 million led by Vladimir Putin, a former KGB agent, who has been in power in Russia since 2000 and is widely believed across the globe to be a tyrant; and

WHEREAS, For centuries, Ukraine and its people have suffered greatly due to actions taken by Russia. The Ukrainians declared their independence in 1917, but were invaded and defeated by Lenin and his Russian forces in 1921. From 1932 to 1933, the Ukrainian people suffered from a Stalin-induced famine, called Holodomer in Ukraine, that according to a United Nations statement in 2003, killed approximately 7-10 million people; and

WHEREAS, More recently, in 2014, Russia broke international law by invading and conquering the Crimean Peninsula from Ukraine. As a result, Russia’s actions were condemned by the United Nations and they were suspended by the G8, (Group of 8), which was an inter-governmental political forum from 1997 to 2014, consisting of the United States, Canada, United Kingdom, France, Germany, Italy, Japan and Russia, which met regularly and sought to foster stability and economic prosperity across the globe. Tragically, as recent events show, Russian President Vladimir Putin has no interest in these noble ideas. Since 2014, Putin and Russia also sowed rebellion and violence in the Donbas region of southeastern Ukraine, in Russia’s never-ending quest to de-stabilize the Ukrainian government and democracy in Ukraine; and

WHEREAS, Thus far, the United Nations has estimated that there have been thousands of casualties, both killed and wounded, since Putin’s illegal invasion of Ukraine began. The United Nations also estimates that the invasion has created more than 400,000 refugees; and

WHEREAS, Thankfully, the world’s reaction has been swift and almost unanimous in its condemnation of Putin’s actions. NATO is unified in its opposition to this invasion and is supplying the Ukrainian government and military with much-needed weapons and humanitarian goods. Other non-NATO nations are also assisting the Ukraine.
government, such as Sweden and Finland. The United Nations has overwhelmingly condemned the Russian attack on Ukraine, and the United States, the European Union and other allies across the globe are also enacting very strict and biting economic sanctions against Russia, particularly in the banking and currency sectors. Also, almost all of Europe and its Western allies have declared their territories to be no fly zones for Russian civilian and military aircraft.

NOW THEREFORE BE IT RESOLVED that the Town of Burrillville hereby declares that it vehemently opposes the illegal invasion of Ukraine by Russia, and this Town Council completely supports the Rhode Island Ukrainian-American community in this time of great crisis;

BE IT FURTHER RESOLVED that the Ukrainian flag shall fly at Burrillville Town Hall to show our support for Ukrainian freedom from Russian violence and oppression.

Adopted as a resolution this 13th day of April 2022.

[Signature]
Donald A. Fox, President
Burrillville Town Council

[Signature]
Vicki Martin, Town Clerk

105 Harrisville Main Street, Harrisville, Rhode Island 02830 - 1499
TOWN OF COVENTRY

RESOLUTION OF SUPPORT FOR SENATE BILL S-2341 AND HOUSE BILL H-7834
OF THE COVENTRY TOWN COUNCIL

WHEREAS, Rhode Island Senate Bill S-2341, and House Bill H-7834, will require that maintenance of sidewalks along state highways be the responsibility of the state.

WHEREAS, the RI Department of Transportation (DOT) already has the authority and funding to properly maintain sidewalks along State Right of Ways,

WHEREAS, the Rhode Island League of Cities and Towns, is supportive and also advocating for these bills.

WHEREAS, the RI Public Works Association, expressed support for this legislation.

WHEREAS Coventry Town Manager Marchant, and Town DPW Director McGee, provided direct testimony to the RI Senate Subcommittee on Municipal Affairs and Highways in support of these Bills, on the 10th of March, 2022.

NOW, THEREFORE BE IT RESOLVED BY THE COVENTRY TOWN COUNCIL

OF THE TOWN OF COVENTRY, RHODE ISLAND, requests that the Rhode Island General Assembly approve and enact these Bills submitted in the January 2022 session.

PASSED AND ADOPTED this 28th day of March, 2022

APPROVED: __________________________

Town Council President Ann Dickson

ATTEST:

Town Clerk
Joanne Amistrano
April 8, 2022

Mr. Robert L. Mushen
President, Town Council
Town of Little Compton
40 Commons Road, P.O. Box 226
Little Compton, Rhode Island 02837

Dear Mr. Mushen:

The U.S. Fish and Wildlife Service (Service) transmitted to Congress its Report to Congress: John H. Chafee Coastal Barrier Resources System Hurricane Sandy Remapping Project on April 5, 2022. The report includes a set of final recommended maps for 438 existing and recommended new units of the John H. Chafee Coastal Barrier Resources System (CBRS) located in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Virginia. This letter serves to notify federal, state, and local officials and other stakeholders that the report and associated maps have been completed by the Service and are available on our website at: https://www.fws.gov/project/hurricane-sandy-remapping-project. Related information (e.g., summaries of the recommended changes, technical correction assessments, and summaries of and responses to public comments) is included in the report. The final recommended boundaries can be viewed and compared to the existing boundaries through the CBRS Projects Mapper at: https://www.fws.gov/program/coastal-barrier-resources-act/maps-and-data.

In 1982 Congress enacted the Coastal Barrier Resources Act (CBRA), which created the CBRS and continues to serve as an important tool for saving taxpayers’ money, keeping people out of harm’s way, and reducing the intensity of development on barrier islands. CBRA does not prohibit or regulate development; however, it removes the incentives to build on these vulnerable and ecologically-sensitive areas by prohibiting most new federal expenditures and financial assistance. Barrier islands and their associated wetlands serve as important habitat for fish and wildlife and protect mainland communities from the full impact of hurricane winds and storm surges.

The final recommended maps, dated December 18, 2020, included in the report make progress towards fulfilling a mandate in section 4 of Pub. L. 109-226 that requires the Secretary of the Interior to prepare draft revised digital maps for all CBRS areas, propose additions to the CBRS, and solicit public comments on the draft revised maps. These comprehensively revised maps underwent a public comment process in 2018 and 2019 and were revised in 2020 to incorporate any appropriate changes based on public input, updated aerial imagery, statutory criteria, objective mapping protocols, and the best available data. The revised maps, if adopted by Congress, would remove over 900 structures that were erroneously included within the CBRS.
decades ago and add over 275,000 acres that meet the statutory criteria for an undeveloped coastal barrier and associated aquatic habitat.

Letters transmitting these revised maps have been sent to the leadership of the Senate and House of Representatives authorizing committees and the members of Congress representing the affected areas for consideration. The revised maps will take effect only if they are adopted by Congress through legislation.

For additional information about CBRA, please visit the Service’s website at: www.fws.gov/cbra or contact us at cbra@fws.gov.

Sincerely,

GARY FRAZER

Gary Frazer
Assistant Director for Ecological Services
Dear Little Compton Council and South Shore Beach Committee and Agriculture Trust Members

I have been an striped bass fisherman for over 60 years. Any avid striped bass fisherman knows that the best time to fish for large striped bass from shore is very late at night up to about 1:15 before sunrise. You are preventing fisherman from accessing the South Shore Beach late at night.

When are you going to either leave the gates open at South Shore all night again or remove them completely??????????. That gate is just increasing the difficulty of enjoying the beach. A couple of checks of the parking lot at night by the police should minimize problems as was done all the years before the gate was put up.

As I'm sure that you realize access to the shore in Little Compton is getting tougher and tougher even for locals as people at Warrens Point, Warrens Point Beach Club, Round Pond, Chase Point post guards earlier in the spring and later in the fall (when to fishing is often terrific) and put up signs that threaten towing or calling police. And of course more and more boulders show up in these places to make parking impossible even for a couple of cars at any time of the year.

The Agriculture Trust owns land on Round Pond Road. Would is be possible to allow parking for a couple of cars there maybe after Oct 15 thru maybe April 15????

Also, the last thing I wish to see is the Beach Commission getting involved in the new Oliver Lane access to Almy Creek. A turnaround at the end with a couple of parking spots and maybe a couple of spots in the lot between the Waterman's and Hoffmans would be good. RI DEM has provide funds to help purchase the land so isn't it required to provide parking as a result? As you know there are many elderly residents in town and walking the beach from Town Way to Almy Creek is tough at high tide because it has become very rocky over the years as sea level has risen. My family spend 13 entire summers from 1978-1991 in the cinder block cottage that used to be where the Waterman's home is now and had minimal problems caused by people who parked at the turnaround or the lot between the Waterman's and Hoffman's.

Sincerely,

Richard Kalinoski
64 Francis Lane
Little Compton, RI 02837

email: richard_kalinoski@yahoo.com
phone 635-2916
TOWN OF CHARLESTOWN, RHODE ISLAND

RESOLUTION IN SUPPORT OF HOUSE BILL 2022 – H 8055
A N A C T RELATING TO WATERS AND NAVIGATION
COASTAL RESOURCES MANAGEMENT COUNCIL

WHEREAS, the lack of a workable, readily identifiable right of access to the shore by the public has led to confusion, conflict and disputes between those attempting to exercise their rights and privileges to the shoreline and the rights of property owners along the shore; and

WHEREAS, it is in the best interest of the public and shoreline property owners to clearly and easily define the public's rights and privileges of and to the shore to avoid constitutional rights conflicts; and

WHEREAS, the Town Council of the Town of Charlestown is committed to protect the public’s constitutional rights to access and enjoy their privileges of and to the shore while also respecting well-established property right laws; and

WHEREAS, House Bill 2022 – H 8055 provides, in relevant part, a clear definition of the high tide line, so-called, to preserve the public’s constitutional right to access and use of the shore; and

WHEREAS, the Town Council of the Town of Charlestown finds that it is in the best interests of the health, safety, and welfare of the people and visitors to Rhode Island and the Town of Charlestown to enact a workable, readily identifiable right of access to the shore by the public to prevent confusion, conflict and disputes between those attempting to exercise their rights and privileges to the shoreline and the rights of shoreline property owners.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Charlestown hereby requests that the General Assembly act favorably and pass House Bill 2022 – H 8055; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to provide a copy of this resolution to the Town of Charlestown’s representatives in the R.I. General Assembly and all 38 cities and towns.

The RESOLUTION shall take effect upon passage.

By resolution of the Charlestown Town Council at a meeting held on April 11, 2022.

Amy Rose Weinreich, CMC
Town Clerk
TOWN OF BURRELLVILLE

RESOLUTION OF THE TOWN OF BURRELLVILLE
OPPOSITION TO RHODE ISLAND 2022 GUN CONTROL LEGISLATION

WHEREAS, the Town Council of the Town of Burrillville pursuant to Rhode Island statute and the Town of Burrillville Charter, is vested with the authority of administering the affairs of the Town of Burrillville, RI; and

WHEREAS, the Second Amendment to the United States Constitution, ratified on December 15, 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742(2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174(1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, Article I, Section 22 of the Rhode Island Constitution adopted in 1842, provides that “The right of the people to keep and bear arms shall not be infringed.”; and

WHEREAS, Article I, Section 6 of the Rhode Island Constitution provides that “The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation and describing as nearly as may be, the place to be searched and the persons or things to be seized.”; and

WHEREAS, as a matter of general principle, and in recognition of over 230 years of lawmaker under the guidance of the Constitution for the United States of America having properly established numerous laws regarding criminal use of firearms that are wholly adequate when judiciously enforced such that additional laws are unneeded, any law which upon passage renders a lifelong law-abiding citizen a felon through no action of their own, is an unjustified law and should be unconstitutional under multiple amendments in the Bill of Rights; and
WHEREAS, it is the desire of the Town Council of the Town of Burrillville to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Rhode Island Constitution which protect the citizens of the State of Rhode Island's inalienable and individual right to keep and bear arms and

WHEREAS, the Burrillville Town Council members each took an oath to support and defend the United States Constitution, the Rhode Island Constitution, and the laws of the State of Rhode Island which are not deemed unconstitutional by a court of competent jurisdiction, and the Charter of the Town of Burrillville; and

WHEREAS, the Burrillville Town Council members give great weight to and adhere to the belief of James Madison, Jr., the fourth President of these great United States that: “Oppressors can tyrannize only when they achieve a standing army, an enslaved press, and a disarmed populace”; and

WHEREAS, the Burrillville Town Council desires to protect the rights of law abiding citizens, individuals who have committed crimes with firearms should be fully prosecuted with existing laws on the books; and

WHEREAS, many of the bills being considered by the General Assembly would require the confiscation and storage of otherwise lawfully owned firearms, and make the Towns and Cities of Rhode Island, responsible for these costs; and

WHEREAS, the Rhode Island General Assembly, in its 2022 legislative session has pending before it numerous bills regulating and restricting the rights afforded the citizens of the State of Rhode Island through the Second Amendment to the United States’ Constitution and the Constitution of the State of Rhode Island, including, but not limited to:

Senate Bill 2704 which repeals the authority of local authorities to issue conceal carry permits to eligible individuals and repeals the right of minors to obtain carry permits; and repeals provisions allowing permits to be issued to law enforcement officers who have retired in good standing after at least twenty (20) years of service;

House Bill 7300 and Senate Bill 2734, which would require all firearms within a home to be kept in a locked container or equipped with a tamper resistant or mechanical lock, and creates a new felony for noncompliance;

House Bill 7457 and Senate Bill 2637, which will illogically raise the age to legally acquire a firearm from 18 to 21 years of age;

House Bill 7764 and Senate Bill 2733, which would create an instant felony for those who are in violation of Rhode Island General Law §11-47-8, including something as simple as transporting a handgun to a friend’s house;

House Bill 6616, which would prohibit the sale or transfer of ammunition unless the purchaser successfully undergoes an onerous and unwarranted background check;

House Bill 6614 and Senate Bill 2653 would criminalize previously lawful ownership by making it a felony, without merit, for an individual to possess any semi-automatic firearm magazine that is capable of holding more than ten (10) rounds of ammunition;
House Bill 6615 and Senate Bill 2224, the Rhode Island Assault Weapons Ban Act of 2022, would prohibit the possession of “assault weapons,” defined as any shotgun that holds more than six (6) rounds or a rifle that holds more than 10 rounds. In order to be exempt, the weapon must, within twelve (12) months of the bill’s passage, be registered, be rendered inoperable, be surrendered to a registered firearm dealer or police department, or be transferred to a person in another jurisdiction where such firearms are allowed. It would also require any heirs of a decedent to surrender or transfer the firearm. If registered, the lawful owner would be required submit fingerprints and pay a fee for registering the firearm.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Burrillville on April 24, 2019, declared itself a Second Amendment Sanctuary Town, now reaffirms that declaration, and hereby takes the following position on state legislation that potentially abridges our Second Amendment rights. We find and declare that these gun restriction bills, if enacted by the Rhode Island General Assembly, infringe upon the rights of the People of the Town of Burrillville and the People of the State of Rhode Island to keep and bear arms. We are collectively opposed to the infringement of these rights established by our Founding Fathers.

BE IT FURTHER RESOLVED that these bills impose unfunded mandates upon local governments; and the Town Council of the Town of Burrillville will not appropriate funds for capital construction of building space and/or the purchase of storage systems to store weapons seized, pursuant to any requirements set forth in the legislation if enacted by the General Assembly for the purpose of enforcing any law, that unconstitutionally infringes upon the rights of the People of the Town of Burrillville to keep and bear arms.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives, the Governor and the Lt. Governor respectfully requesting their support.

Passed as a resolution of the Burrillville Town Council this 13th day of April, 2022.

[Signature]
Donald A. Fox, President
Burrillville Town Council

ATTEST:

[Signature]
Vicki Martin, Town Clerk
Town of Hopkinton  
HOPKINTON, RHODE ISLAND 02833

April 7, 2022

Via email: House Municipal Government & Housing Committee Members

House Municipal Government & Housing Committee
State House - 82 Smith Street
Providence, RI 02903

Subject: HB 6676

Dear Honorable Members,

The purpose of this letter is to express the strong opposition of the Hopkinton Town Council to HB 6676 Relating to Taxation – Levy and Assessment of Local Taxes. At its meeting held on April 4, 2022, the Town Council voted unanimously to send this letter in opposition to this proposed legislation.

The above referenced Bill would be devastating to the finances of the Town of Hopkinton and other rural Rhode Island towns that in recent years have permitted the development of large, utility scale solar energy installations in their communities. The explanation provided by the sponsors of this legislation states that it “would require cities and towns to assess renewable energy resources to be taxed as tangible property and the real property on which the renewable energy sources are located shall not be reclassified, revalued or reassessed, except farmland, which shall be reclassified, revalued and taxed at the predated farmland classification”.

Because the act is intended to apply retroactively, Hopkinton’s Tax Assessor estimates that passage of the act would require Hopkinton to refund hundreds of thousands of dollars in property taxes that would not be collected in the future. Such a result would be patently unfair to the many towns like Hopkinton that have sacrificed their open space and rural character for the construction of these solar arrays with the expectation that such arrays would become a valuable tax-paying asset to the community.

This legislation should also be rejected because it is contrary to basic principles of tax assessment. A foundational principal of tax assessments is to treat all parties fairly and equitably whereas this legislation would treat solar developers and investors differently and more favorably than all other property owners because towns would not be allowed to base their tax assessment on the actual fair market value of the land or the actual use that the property enjoys. Further, this legislation ignores the basic principle of appraisal and assessment by not allowing the assessor to consider the highest and best use of such properties. Changes in the zoning of properties to accommodate solar development created a new and very valuable use and the properties should be assessed as such.
In most, if not all cases, these large solar developments have already received Federal and/or State tax credits intended to incentivize construction of renewable energy sources. A further reduction of their property taxes would unfairly shift the tax burden off of these investors and developers, who can easily afford it, and onto those taxpayers who can least afford it. Unless the State plans to reimburse the cities and towns for the significant lost revenue, this would amount to an unfunded mandate imposed by the State upon the local municipalities that are already struggling to meet their financial obligations and are subject to intense pressure to permit renewable energy development.

Hopkinton is a vibrant community where many people have chosen to live and raise their families because of its charming rural character and high performing regional school system. It is not, and should not become, a tax haven for powerful energy developers. For all these reasons the Hopkinton Town Council respectfully requests that the House Municipal Government & Housing Committee reject this proposal or any similar proposals that would relieve energy developers and investors from contributing their fair share of local property taxes.

Respectfully,

Hopkinton Town Council

Attachment: Hopkinton Tax Assessor Letter dated March 30, 2022

Cc: Governor Daniel McKee  
RI League of Cities & Towns  
RI Cities & Towns  
Representative Kennedy  
Representative Price  
Senator Morgan
TOWN OF HOPKINTON, RHODE ISLAND
OFFICE OF THE TAX ASSESSOR

1 TOWN HOUSE ROAD  HOPKINTON, RI 02833

Honorable Town Council
1 Town House Rd.
Hopkinton, R.I. 02833

March 30, 2022

REFERENCE: Solar Energy Proposed Legislation HB 6676

Honorable Town Council:

I have been asked to analyze the proposed solar legislation and calculate the financial impact to Hopkinton if the legislation was to be approved.

The bill proposes that the land beneath the solar arrays cannot be reclassified, revalued, or reassessed due to the presence of renewable energy sources. There is an exception for farmland, but it limits reclassifying the land to the classification and tax that predated the farmland classification. In essence, we would be limited to taxing the land under the solar array at $3,000/acre. There would be no allowance to change any other value of the land.

The total potential financial impact for Hopkinton if the proposed legislation was to pass is approximately $446,592. This figure represents the approximate refunds that the Town of Hopkinton would have to disburse to the existing solar projects through the 2022 Tax Roll. The two largest refunds would be issued to the owners of the 100 Alton Bradford Road project ($165,197) and the owners of the 310 Main Street project ($131,318).

In addition to the financial impact to the Town of Hopkinton, there are several other issues with the legislation. The legislation ignores a basic principle of assessment by not allowing the assessor to consider the highest and best use of such properties. It would also ignore that most of these projects have received zoning changes, which is a primary factor in determining value and is a basis for all other assessments.

The proposed change would also treat these investors differently than all other property owners. It would unfairly shift the tax burden off of the investors, who are also already receiving tax credits for these properties, and onto the rest of the taxpayers.

If these solar farms warrant special tax treatment in order to remain viable, most Rhode Island municipalities would be willing to discuss changes. However, discussions need to be open, honest, and transparent. These investors have repeatedly refused to provide income and expense information, which would be helpful to accurately and fairly value the solar array properties.

I trust this information is of assistance to you. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,

Tiana Zartman
Tax Assessor
RESOLUTION OF THE TOWN OF TIVERTON
OPPOSITION TO RHODE ISLAND 2022 HB 6638 AND 2022 SB 2340
"AN ACT RELATING TO TOWNS AND CITIES – ZONING ORDINANCES" CREATING CHAPTER 24.7 TITLED "OPENING THE MARKET FOR HOUSING IN URBAN AREAS"

WHEREAS, The Town of Tiverton opposes House Bill 2022-H 6638 and Senate Bill 2022-S 2340 (collectively "Bill"), which would prohibit single-family residential zoning in municipalities with populations of over twenty-thousand (20,000), thus further increasing density in already densely populated communities, and mandating that those municipalities adopt zoning regulations for "middle housing," in single-family residential zones; and

WHEREAS, The stated purpose of the Bill is to expand the supply of affordable housing in urban areas, reduce homelessness, and reduce the use of automobiles; and

WHEREAS, The Bill mandates that the state building standards committee develop a model middle housing ordinance no later than December 31, 2022, and further requires that local governing bodies must amend their comprehensive plan no later than June 30, 2023, to provide zoning for "middle housing" in single-family zoned areas; and

WHEREAS, If a local governing body fails to amend its comprehensive plan by June 30, 2023, the city or town must apply the model middle housing ordinance adopted by the state building standards committee; and

WHEREAS, The Bill would usurp the traditional planning and zoning powers of cities and towns to comprehensively regulate, on a local level, the land use in their communities and would overtax local communities’ availability to provide adequate public safety measures and other necessary municipal services; and

WHEREAS, the General Laws already provide measures that require municipalities to address affordable housing and reduce homelessness, and which incentivize developers; and

WHEREAS, a threshold of populations of twenty-thousand (20,000) is arbitrary and capricious, is not based on competent evidence, and fails to account for individual circumstances of each municipality irrespective of population; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiverton opposes 2022 HB 6638 and 2022 SB 2340.

BE IT FURTHER RESOLVED that the Tiverton Town Council urges the Rhode Island House of Representatives and Senate not to pass the Bill and that a copy of this Resolution be forwarded to every Rhode Island municipality, Tiverton’s legislators and the Governor requesting their support in opposition to this legislation.

WHERETO: The following bear witness:

Denise M. deMedeiros, Town Council President

Date
Burrillville Town Council Resolution
In opposition to Senate Bill S-2244 and House Bill H-7198
Municipal Employees' Arbitration

WHEREAS, the Town Council of Burrillville believes in a fair collective bargaining process and balanced interest arbitration process; and

WHEREAS, the Rhode Island Senate Bill S-2244 and House Bill H-7198 will institute an arbitration process to include the right of an unelected arbitrator to "...enter into and execute an effective and binding collective bargaining agreement." (emphasis added); and

WHEREAS, the Rhode Island League of Cities and Towns, in a letter of testimony submitted to the House Committee on Labor, dated February 2, 2022 expressed significant and meaningful reasons for cities and towns to object to this legislation; and

NOW THEREFORE BE IT RESOLVED that the Town of Burrillville respectfully requests that the Leaders of the House and Senate, the entire Burrillville delegation and all of the General Assembly membership reject Senate Bill S-2244 and House Bill H-7198 as repugnant to the best interests of the state and most especially to the best interests of the residents and taxpayers of the 39 cities and towns.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to every Rhode Island municipality and Burrillville's legislators requesting their support in opposition to this legislation, the Honorable Speaker of the House of Representatives, the Honorable Senate President and the Honorable Chairmen of the House and Senate Finance Committees and the Honorable Governor.

Adopted as a resolution this 23rd day of March 2022.

Donald A. Fox, President
Burrillville Town Council

Vicki Martin, Town Clerk
RESOLUTION OF THE TOWN OF TIVERTON IN OPPOSITION TO RHODE ISLAND SENATE BILL S-2244 AND HOUSE BILL H-7198 MUNICIPAL EMPLOYEES’ ARBITRATION

WHEREAS, the Tiverton Town Council believes in a fair collective bargaining process and balanced interest arbitration process and believes the General Laws of the State of Rhode Island already provide alternative means for resolving disputes; and

WHEREAS, the stated purpose of Rhode Island Senate Bill S-2244 and House Bill H-7198 is to provide an “alternative mode of settling disputes where employees must, as a matter of public policy be denied the usual right to strike;” and

WHEREAS, the Rhode Island Senate Bill S-2244 and House Bill H-7198 will institute an arbitration process to include the right of an unelected arbitrator to “…enter into and execute an effective and binding collective bargaining agreement.” (emphasis added); and

WHEREAS, the Rhode Island League of Cities and Towns, in a letter of testimony submitted to the House Committee on Labor, dated February 2, 2022, attached hereto, expressed significant and meaningful reasons for cities and towns to object to this legislation, which the Council adopts; and

WHEREAS, Senate Bill S-2244 and House Bill H-7198 seek to implement vague and ambiguous standards, for example, municipalities of “comparable size,” and

WHEREAS, the legislation will interfere with, and preempt, the sovereign rights of each municipality to set their own budgets and manage their own personnel; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiverton opposes Senate Bill S-2244 and House Bill H-7198.

BE IT FURTHER RESOLVED that the Tiverton Town Council urges the Rhode Island House of Representatives and Senate not to pass the Bill and that a copy of this Resolution be forwarded to every Rhode Island municipality, Tiverton’s legislators and the Governor requesting their support in opposition to this legislation and that this resolution shall be effective immediately upon passage.

WHERETO: The following bear witness:

[Signature]
Denise M. deMedeiros, Town Council President

[Signature]
Date

4/11/2022
Testimony from Jordan Day, Policy Director
In Opposition to Expansion of Binding Arbitration (H7198)
House Committee on Labor – February 2, 2022

Thank you, Madam Chair and members of the committee, for the opportunity to testify. The League of Cities and Towns strongly opposes H7198, which would expand bargaining arbitration for municipal employees to include monetary issues. Personnel is the largest component of municipal budgets, representing more than 75% of budgets in some communities. Passing this legislation would give unelected arbitrators even greater control over municipal budgets, with no recourse for taxpayers.

As the committee is likely aware, most cities and towns require local councils to approve collective bargaining agreements. This protection is intended to ensure that contractual promises do not exceed available dollars. It also provides an important balance between the needs of employees and taxpayers. However, an arbitration decision does not need to be ratified by a city or town council, which means that arbitration awards on wages or benefits could blow a hole in local budgets, increasing the likelihood of higher taxes or service reductions.

There are several concerns with expanding binding arbitration rights to wages and monetary issues. The scope of this legislation includes not only municipal employees, but also school system employees who are not certified teachers. Combined with binding arbitration for public safety officials, a substantial component of municipal budgets could be locked in by binding arbitration awards, which means city and town councils would lose authority over the budgets that the residents elected them to manage.

There are also practical implications to how binding arbitration would work in this case. If a town and its municipal employees cannot come to agreement on wages or other monetary matters, a panel of unelected arbitrators would decide. The bill states that arbitrators should look to the pay scales in other cities and towns “of comparable size.” However, it does not require the arbitrators to consider the specific budgetary outlook of the city or town. As a result, some “comparable” cities and towns may not be so comparable. Rhode Island has a lower per capita income than Massachusetts, Connecticut or New Hampshire. If an arbitrator uses these comparisons, cities and towns would be providing wages that their tax bases cannot afford.

Unfortunately, the greatest impact of expanded binding arbitration would ultimately be increases in property taxes. Rhode Island cities and towns raise about two-thirds of their revenues from local taxes and fees, with the remainder coming from the state – primarily for schools. Of the locally
raised revenues, about three-quarters comes from the property tax, and the rest from various fees. As a result, if costs go up because of arbitrator awards, cities and towns would be forced to raise property taxes. Rhode Island communities already have the eighth highest property tax burden per capita, and we cannot afford to go any higher.

The League's members believe that the current binding arbitration process is lengthy and expensive. We should be reforming it instead of expanding it and giving more power to unelected arbitrators. For these reasons, the League and its members are opposed to H7198. Thank you for your opportunity to testify.
Burrillville Town Council Resolution
In opposition to Senate Bill S-2557 and House Bill H-7829
Mandatory Translation Services

WHEREAS, the Town Council of Burrillville believes in the tenets of the Open Meetings Laws of the State of Rhode Island and diligently seeks to comply with the requirements of the law; and

WHEREAS, the Rhode Island Senate Bill S-2557 and House Bill H-7829 will create an extraordinary unfunded mandate by requiring, upon request, that the translation services be provided by any public body subject to the provisions of the Open Meetings Laws of the State of Rhode Island; and

WHEREAS, the overly simplistic bill, as proposed, fails to recognize the large number of languages and dialects employed by citizens and non-citizens of the state and nation that hundreds of large and small, local public bodies would be required to be responsive to with no controlling criteria to avoid the risk of costly burdens of compliance without consideration of whether the need is genuine or even initiated by a resident of the city, town or state; and

NOW THEREFORE BE IT RESOLVED that the Town of Burrillville respectfully requests that the Leaders of the House and Senate, the entire Burrillville delegation and all of the General Assembly membership reject Senate Bill S-2557 and House Bill H-7829 as an excessive unfunded mandate being imposed on the cities and towns of the State of Rhode Island.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to every Rhode Island municipality and Burrillville's legislators requesting their support in opposition to this legislation.

Adopted as a resolution this 13th day of April 2022.

Donald A. Fox, President
Burrillville Town Council

ATTEST:
Vicki T. Martin, Town Clerk

105 Harrisville Main Street, Harrisville, RI 02830
2022 -- H 7829

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Introduced By: Representatives Felix, Morales, Barros, Kimbik, Alzate, Giraldo, Srier, Diaz, Cassar, and Kazarian
Date Introduced: March 04, 2022
Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 42-46 of the General Laws entitled "Open Meetings" is hereby amended by adding thereto the following section:

(a) All public bodies shall develop a translation assistance plan setting forth the steps necessary to ensure that all open meetings of said bodies shall have the proceedings accessible in an individual's language they understand upon request.
(b) The public body shall implement the translation assistance plan under this section by September 1, 2023.

SECTION 2. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

***

1. This act would require public bodies to offer translation services for all open meetings of
   such bodies.

2. This act would take effect upon passage.

LC005409
2022 -- S 2557

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Introduced By: Senators Ceno, Quezada, Acosta, DiPalma, Zurier, Kallman, Murray, Stanislawski, Pearson, and Severney

Date Introduced: March 04, 2022

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 42-46 of the General Laws entitled "Open Meetings" is hereby amended by adding thereto the following section:


(a) All public bodies shall develop a translation assistance plan, setting forth the steps necessary to ensure that all open meetings of said bodies shall have the proceedings accessible to an individual in a language they understand, upon request.

(b) The public body shall implement the translation assistance plan under this section by September 1, 2023.

SECTION 2. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

***

1 This act would require public bodies to offer translation services for all open meetings of
2 said bodies.
3 This act would take effect upon passage.

LC004971
April 6, 2022

Via Email, followed by Certified Mail

Subject: South Fork Wind MOA Notification of Proposed Project Modification – Onshore Temporary Laydown Areas with No Adverse Effects to Historic Properties

Dear Signatories, Invited Signatories and Consulting Parties,

This letter describes a proposed project modification for the South Fork Wind Project (the Project) and BOEM’s determination that the modification will result in no historic properties affected and this determination is supported with the following documentation. Consulting parties will have 30 calendar days to review and comment on this notification, consistent with the process identified for project modifications in Stipulation V.A.1 of the Memorandum of Agreement Among the Bureau of Ocean and Energy Management (BOEM), the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer and the New York State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the South Fork Wind Farm and South Fork Export Cable Project, executed November 23, 2021 (the MOA).

The process for review of project modifications is described in Section V of the MOA (enclosed as Attachment A).

SFW proposes an onshore project modification for the SFEC-Onshore, specifically to use one or more of the following temporary laydown areas, all located in East Hampton, New York; (a) 40 Tan Bark Trail; (b) 209 Springs Fireplace Road; and/or (c) 106 Stephen Hands Path (figures enclosed as Attachment B). Use of one or more of these laydown areas will allow SFW to more efficiently complete its construction activities, due to proximity to the Project and the increase in available space for staging, storage, stockpiling, and/or assembly. The New York Public Service Commission (NYSPSC) has evaluated the portions of the South Fork Export Cable within New York State and approved the SFW Environmental Management & Construction Plan (EM&CP) on November 22, 2021. The NYSPSC is currently reviewing EM&CP Amendment Requests for the use of these temporary laydown areas.

Certain of the temporary laydown areas are not within the original APE identified for the Project, and as such, SFW notified BOEM of this proposed change and provided BOEM with information concerning the proposed modifications and associated evaluation. SFW completed an assessment of cultural resources for each of the potential laydown areas (enclosed as Attachment C). No excavation, grading, tree clearing, or other ground disturbing activity will be performed by SFW on site at any of the potential laydown areas. The sites are all previously disturbed and there are no previously reported archaeological sites or historic properties within or immediately adjacent to the site. The use, types of activities, and equipment that would occur within each proposed laydown area will be largely identical to current or recent prior uses as a laydown area and will also match the character of nearby/adjacent parcels. The MOA includes a stipulation related to Post-Review Discoveries, which are applicable for use of these laydown areas in the event any historic properties are discovered or inadvertently affected when these areas are used for this specific Project.

BOEM has determined that there are no historic properties affected as a result of the use of these temporary laydown areas and therefore these modifications do not require alteration
of the conclusions reached in the Finding of Adverse Effect for the South Fork Wind Farm and South Fork Export Cable Construction and Operations Plan dated August 2021 (the Finding of Effect).

Consistent with the MOA, we ask that you please submit any written comments on this proposed onshore project modification within the 30 calendar day comment period via email to SFWsec106consult@orsted.com.

Sincerely,

Brennan Guldner
Commercial Manager, South Fork Wind

Cc (via email): Sarah Stokely, BOEM
Rob Mastria, Orsted
Rob Soden, Orsted

Enclosures: Attachment A, SFW MOA Stipulation V
Attachment B, Project Location Figures for Potential Laydown Areas
Attachment C, Cultural Resources Assessment for Potential Laydown Areas
Section V of the SFW Section 106 MOA describe the process for project modifications, provided below for reference:

"V. PROJECT MODIFICATIONS

A. If SFW proposes any modifications to the Project that expands the Project beyond the Project Design Envelope included in the COP and/or occurs outside the defined APE or the proposed modifications change the final determinations and findings for this Project, SFW shall notify and provide BOEM with information concerning the proposed modifications. BOEM will determine if these modifications require alteration of the conclusions reached in the Finding of Effect and, thus, will require additional consultation with the signatories, invited signatories, and consulting parties. If BOEM determines additional consultation is required, SFW will provide the signatories, invited signatories and consulting parties with the information concerning the proposed changes, and they will have 30 calendar days from receipt of this information to comment on the proposed changes. BOEM shall take into account any comments from signatories, invited signatories, and consulting parties prior to approving any proposed changes. Using the procedure below, BOEM will, as necessary, consult with the signatories, invited signatories, and consulting parties to identify and evaluate historic properties in any newly affected areas, assess the effects of the modification, and resolve any adverse effects.

1. If the Project is modified and BOEM identifies no additional historic properties or determines that no historic properties are adversely affected due to the modification, SFW will notify all the signatories, invited signatories, and consulting parties about this proposed change and BOEM's determination, and allow the signatories, invited signatories, and consulting parties 30 calendar days to review and comment. This MOA will not need to be amended if no additional historic properties are identified and/or adversely affected.

2. If BOEM determines new adverse effects to historic properties will occur due to a Project modification, SFW will notify and consult with the relevant signatories, invited signatories, and consulting parties regarding BOEM's finding and the resolution of the adverse effect and develop a new HPTP following the consultation process set forth in Stipulation IV. They will have 30 calendar days to review and comment on the adverse effect finding and the proposed resolution of adverse effects, including a draft HPTP. BOEM, with the assistance of SFW, will conduct additional consultation meetings, if necessary, during drafting and finalization of the HPTP. The MOA will not need to be amended after the HPTP is finalized.

3. If any of the signatories, invited signatories, or consulting parties object to determinations, findings, or resolutions made pursuant to these measures (Stipulation V.A.1 and 2), BOEM will resolve any such objections pursuant to the dispute resolution process set forth in Stipulation XI."

South Fork Wind

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Attachment B. Project Location Figures for Potential Laydown Areas

Vicinity Map showing SFEC Project and Potential Laydown Areas
40 Tan Bark Trail – Location Map and Photo of Existing Conditions
209 Springs Fireplace – Location Map and Photo of Existing Conditions
Stephen Hands Path – Location Map and Photo of Existing Conditions
Attachment C. Cultural Resources Assessment for Temporary Laydown Areas

40 Ton Bark Trail Laydown Area

The proposed laydown area is a previously disturbed property at the corner of a large sand and gravel pit facility. The site is approximately 1.2 acres and is currently a flat gravel lot with some pioneer herbaceous vegetation. It appears, based on historic aerial imagery, that the site was used as a gravel staging area as recently as May 2016. This specific location is suitable as a laydown area because it is largely secluded from local residents, previously disturbed, and the proposed work activities are consistent with recent use as a laydown area.

No excavation, grading, tree clearing, or other ground disturbing activity will be performed by SFW on site. Mowing of the existing vegetation may take place as well as the reestablishment of geotextile fabric and gravel, stone, repurposed asphalt/concrete or paved asphalt to prevent rutting, disturbance, and erosion of the existing soil. The site is highly disturbed and has a history of pervasive ground disturbance. There are no previously reported archaeological sites or historic properties within or adjacent to the proposed laydown area. The use, types of activities, and equipment that would occur within the proposed laydown area will be largely identical to past use and activities on the parcel in its former capacity as a graded, bulk material storage lot, and will also match the character of nearby/adjacent parcels, which are in use as gravel pits and for bulk materials storage. As such, no historic properties will be affected as a result of the use of the property as a laydown area.

209 Springs Fireplace Laydown Area

The proposed laydown area is an active garage/storage facility. The site is approximately 0.5 acres and is currently a flat parcel with a large commercial garage and paved asphalt and gravel parking/staging areas. This specific location is suitable because it is previously disturbed, and the proposed work activities are consistent with the current use of this site.

No excavation, grading, tree clearing, or other ground disturbing activity will be performed by SFW on site. The site is a previously disturbed paved asphalt and gravel parcel with an industrial size garage building. There are no previously reported archaeological sites or historic properties within or immediately adjacent to the site. The use, types of activities, and equipment that would occur within the proposed laydown area will be largely identical to its recent prior use as a laydown area, and will also match the character of nearby/adjacent parcels, which are in use as gravel pits and for bulk materials storage. As such, no historic properties will be affected as a result of the use of the property as a laydown area.

106 Stephen Hands Path Laydown Area

This proposed laydown area is an active DOT patrol equipment and vehicle staging lot. The site is approximately 3.25 acres and is currently a flat parcel with three garage and office buildings and a paved asphalt parking/staging area. This specific location is suitable because it is centrally located in relation to the Project, largely secluded from local residents, previously disturbed, and the proposed work activities are consistent with the historical use at this location.

No excavation, grading, tree clearing, or other ground disturbing activity will be performed by SFW on site. The site is a previously disturbed paved asphalt and gravel parcel with existing
buildings. There are no previously reported archaeological sites or historic properties within or immediately adjacent to the site. The use, types of activities, and equipment that would occur within the proposed laydown area will be largely identical to recent prior use and activities on the parcel in its current capacity as a DOT patrol staging and laydown area. As such, no historic properties will be affected as a result of the use of the property as a laydown area.