

Annual Financial Town Meeting
May 27, 2009 @ 7:00 P.M.
Barrington High School Gymnasium
Present:

Total Eligible: 13,795
Attendance: 562 @ 7:05 P.M.
997 @ 7:30 P.M. 1038 @ 8:00 P.M.

- **Town Moderator:** Julia P. Califano
- **Town Clerk:** Lorraine A. Derois
- **Town Council:** June Sager Speakman, Jeffrey S. Brenner, John T. Lazzaro, James Schwartz and Kate G. Weymouth
- **Town Manager:** Peter A. DeAngelis, Jr.
- **Appropriations Committee:** Kathryn D. Cadigan, Nicholas R. DeRosa, Geoffrey E. Grove, Pam Wheeler Mitchell and Timothy R. Sweetser
- **School Committee:** Jim Hasenfus, Robert E. Shea, Jr., Thomas R. Flanagan, Patrick A. Guida, Amy Page Oberg
- **School Superintendent:** Dr. Robert O. McIntyre
- **School Director of Administration and Finance:** Ronald D. Tarro

Moderator Julia P. Califano declared a quorum present and called the meeting to order.

Mrs. Califano announced that Mike Davis is televising this Financial Town Meeting live on Full Channel, Channel 16 and he's recording the meeting.

Mrs. Califano asked everyone to stand and join in the Pledge of Allegiance to the Flag.

Motion by Mrs. Cadigan and seconded to dispense with the reading of the Call, but it is part of the record as it appears on page 446A. Passed unanimously (voice vote).

Motion by Mrs. Speakman and seconded by Mr. Sweetser to adopt the following resolution:

**RESOLUTION TO DISSOLVE THE CAPITAL RESERVE ACCOUNT
KNOWN AS JAWS OF LIFE**

RESOLVED: That the account known as "Jaws of Life" is hereby dissolved.
The motion passed (voice vote).

Motion by Mr. Hasenfus and seconded by Mrs. Oberg to adopt the following resolution:

**RESOLUTION TO ESTABLISH THE SCHOOL LONG-RANGE PLAN
CAPITAL RESERVE FUND**

RESOLVED: There is hereby established pursuant to 45-11-1 of the Rhode Island General Laws, as amended, a Capital Reserve fund to be known as "School Long-Range Plan" and to transfer fiscal year 2008-2009 allocated, unspent funds from the long-range plan capital project fund to the school long-range plan capital reserve account. Andre Laus, 300 Rumstick Road, asked if the \$50,000 is being reflected in the school budget numbers? Mr. Tarro stated, no, it's not. Mrs. Califano added that this is just carrying it over for a second year; they have not expended it. The motion passed (voice vote).

Motion by Mrs. Speakman and seconded by Mr. Brenner to adopt the following resolution:

**RESOLUTION TO CLOSE THE WIND TURBINE SPECIAL REVENUE ACCOUNT AND
TRANSFER THE REMAINING FUNDS TO THE GENERAL FUND**

RESOLVED: To close the Wind Turbine Special Revenue account and transfer all allocated, unspent funds back to the General Fund to cover potential revenue shortfalls including but not limited to abatements, state aid, interest income, etc.
The motion passed (voice vote).

Motion by Mrs. Speakman and seconded by Mrs. Weymouth to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING APPROPRIATING AN
AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE REMEDIATION AND
CAPPING OF FORMER TOWN LANDFILLS AND MODIFICATION OF THE
LANDFILLS FOR POST-CLOSURE USE INCLUDING ALL OTHER COSTS
INCIDENTAL OR RELATED THERETO THROUGH THE ISSUANCE OF BONDS
AND/OR NOTES**

BE IT RESOLVED that

Section 1. The sum of \$3,000,000 be appropriated to finance the remediation and capping of former town landfills and modification of the landfills for post-closure use including all other costs incidental or related thereto (the "Project") and to raise said appropriation, the Finance Director, with the approval of the Town Council, is authorized

\$57,720,177 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2010, and the Town Treasurer is hereby authorized and directed to pay out of the several appropriations mentioned, said sums within the amounts appropriated, as may be required upon receipt by him of proper vouchers approved by the Town Manager, or otherwise as provided by law.

BE IT FURTHER RESOLVED: that the report of the Committee-on-Appropriations with regard to the Sewer Enterprise Fund be adopted and in accordance therewith the sum of \$2,975,523 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2010, and the Town Treasurer is hereby authorized and directed to pay out of the Sewer Enterprise Fund said sums within the amount appropriated as may be required upon receipt by him of proper vouchers approved by the Town Manager or otherwise as provided by law. The expenditure shall be supported by revenue generated by said fund. The motion passed (voice vote).

Motion by Mr. Sweetser and seconded by Mrs. Cadigan to adopt the following resolution:

**ORDERING THE LEVY AND COLLECTION OF A TAX AND DEALING
WITH KINDRED MATTERS**

RESOLVED: that the electors of the Town of Barrington, qualified to vote on any proposition to impose a tax, in Town Meeting assembled, on this 27th day of May, A.D. 2009, hereby order the levy and collection of a tax on the ratable real estate, the ratable tangible personal property, ratable tangible personal property of manufacturer's machinery and equipment (the rate of said ratable tangible personal property of manufacturer's consisting of manufacturer's machinery and equipment to be in accordance with limitations and provisions of statutory law of the State of Rhode Island) and motor vehicle excise tax in the sum not less than \$51,761,832 nor more than \$51,958,995, said tax to be for ordinary expenses and charges, for the payment of interest and indebtedness in full or in part of said Town and for other purposes authorized by law.

The Tax Assessor shall apportion said tax on the inhabitants and taxable property of said Town according to law, and shall, upon completion of said resulting tax roll, date, certify and sign the same and deliver to and deposit the same in the Office of the Town Clerk. The Town Clerk, upon receipt of said assessments, shall forthwith make a copy of same and deliver it to the Town Treasurer with a warrant under her hand directed to the Collector of Taxes of said Town commanding him to proceed to collect said tax on the person and estates liable therefor. Said tax shall be due and payable on the 1st day of September, A.D. 2009, and all taxes remaining unpaid after September 30, 2009, shall carry until collected, a penalty at the rate of 18 per cent per annum from the due date of any quarterly installment, PROVIDED, HOWEVER, that the persons assessed to pay their taxes shall have an option to pay the same in equal quarterly installments; the first installment of twenty-five per centum on or before the 30th day of September 2009, and the remaining installments as follows: twenty-five per centum on or before the 31st day of December 2009, twenty-five per centum on or before the 30th day of March 2010, and twenty-five per centum on or before the 30th day of June 2010.

If the first installment or any succeeding installments of taxes is not paid by the last date of the respective installment period or periods as they occur then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of 18 per cent per annum.

As of the 31st day of December 2009, at twelve o'clock midnight, the Assessor of Taxes shall determine the assessed valuation of ratable property in the Town for tax purposes and against such assessed valuations so determined shall apportion the tax levy to be made by the electors in Financial Town Meeting on May 26, 2010 on the inhabitants of the Town and ratable property therein to meet appropriations.

RESOLVED: that the Collector of Taxes is hereby directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2010 prepared to certify to the Council the names of all persons whose taxes have remained unpaid or have been paid under protest as of that date, together with all amounts due from each, and also all the information in his possession connected with each case. The Tax Collector shall also prepare and certify to the Town Council the names of all persons to whom he recommends there shall be granted tax abatements on tangible personal property because they have deceased leaving no assets, have moved out of State leaving no assets or whose tax has been ruled uncollectible by court, as provided in the General Laws of Rhode Island, 1956, as amended, Title 44, Chapter 7, Section 14, as amended to date, together with the reason for the abatement and the amount.

RESOLVED: that the Assessor of Taxes is directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2010 prepared to certify

WARNING FOR FINANCIAL TOWN MEETING

446A

State of Rhode Island and Providence Plantations

County of Bristol, SC:

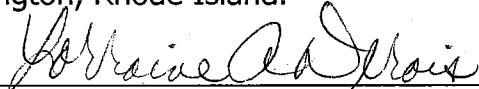
By the Town Clerk of Town of Barrington, Rhode Island to John M. LaCross, Town Sergeant of the Town of Barrington, or to any of the Constables of the said Town.

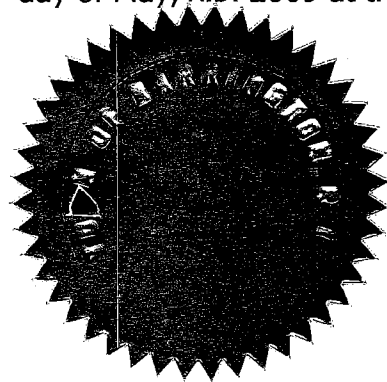
GREETING:

Pursuant to Chapter 3 of Title 45 of the General Laws of the State of Rhode Island, you are hereby required to post at least seven (7) days before the 27th day of May, A.D. 2009, written notification in three (3) or more public places in the Town of Barrington, Rhode Island, notifying and warning the electors of the Town of Barrington, qualified to vote upon any proposition to impose a tax or for the expenditure of money to assemble in Town Meeting in the Gymnasium at the Barrington High School in the Town of Barrington on the 27th day of May, A.D. 2009 at seven (7:00) o'clock in the afternoon for the purpose of ordering a tax to be levied and assessed on the ratable property of the Town and the inhabitants thereof for the payment of the Town debts and interest, for the payment of the Town's proportion of the State tax, for the support of schools, for the support and maintenance of the poor, for the building, repairing and amending of highways, for the building, repairing and amending of bridges, for the improvement in any manner deemed fit of any property belonging to the Town, for all necessary charges and expenses whatsoever arising within the Town, whether incidental or not to the above, and for consideration of the following matters:

1. Resolution to dissolve the capital reserve account known as Jaws of Life
2. Resolution to establish the School Long-Range Plan capital reserve fund
3. Resolution to close the Wind Turbine special revenue account and transfer the remaining funds to the General Fund
4. Resolution authorizing appropriating an amount not to exceed \$3,000,000 to finance the remediation and capping of former Town landfills and modification of the landfills for post-closure use including all other costs and incidental or related thereto through the issuance of bonds and/or notes
5. Resolution authorizing appropriating an amount not to exceed \$1,000,000 to finance the repair, replacement, improvement and installation of roofs in existing schools within the Town and all other costs incidental or related thereto through the issuance of bonds and/or notes
6. Resolution appropriating an amount not to exceed \$1,000,000 to finance the construction, renovation, rehabilitation, repair, improvement and landscaping of Town roads, sidewalks and drainage facilities within the Town and all other costs incidental or related thereto through the issuance of bonds and/or notes
7. Resolution Authorizing Issuance of Emergency Notes to Fund Emergency Appropriations
8. Resolution Authorizing Issuance of Tax Anticipation Notes

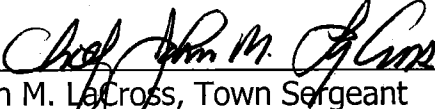
Given under my hand and the seal of the Town of Barrington this 18th day of May, A.D. 2009 at the Town of Barrington, Rhode Island.


Lorraine A. Derois, Town Clerk



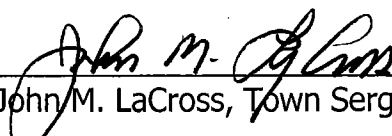
State of Rhode Island
County of Bristol

By virtue of the foregoing warrant, the electors of the Town of Barrington entitled to vote in Financial Town Meeting are hereby warned and notified to assemble in Town Meeting in the Gymnasium of the Barrington High School in said Barrington on the 27th day of May, A.D. 2009 at 7:00 P.M. for the purpose set forth in the above Warrant.


John M. LaCross, Town Sergeant

State of Rhode Island
County of Bristol

In Barrington, in said County, on the 18th day of May, A.D. 2009, I have warned and notified the electors of the said Town of Barrington as above commanded and required by law by posting up written notification of said Warrant in more than three public places in said Town of Barrington.


John M. LaCross, Town Sergeant

under Section 45-12-2 of the General Laws Rhode Island and Section 7-1-1 of the Home Rule Charter of the Town, as amended, to issue bonds therefor, to issue temporary notes in anticipation of the issuance of bonds, and to issue refunding bonds pursuant to Section 45-12-5.2.

Section 2. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any bonds or notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds or notes shall be signed by the Finance Director and by the President of the Town Council.

Section 3. This Resolution is an affirmative action of the Town of Barrington toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent pursuant to the Treasury Regulations Section 1.150(2) to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the issuance of the bonds or notes. Amounts to be reimbursed shall not exceed \$3,000,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

Section 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the bonds and notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on such bonds and notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Finance Director and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the bonds and notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 5. This Resolution shall take effect upon passage.

Comments/questions by the following electors: Betsy Harker, 124 Adams Point Road; Walter Adamowicz, 5 Ferncliff Road; Neal Personeus, 211 Sowams Road and Norman McCulloch, 99 Adams Point Road. Discussion ensued. The motion passed (standing vote).

Motion by Mr. Hasenfus and seconded by Mrs. Oberg to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING APPROPRIATING AN
AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE THE REPAIR,
REPLACEMENT, IMPROVEMENT AND INSTALLATION OF ROOFS IN EXISTING
SCHOOLS WITHIN THE TOWN AND ALL OTHER COSTS INCIDENTAL OR
RELATED THERETO THROUGH THE ISSUANCE OF BONDS AND/OR NOTES**

BE IT RESOLVED that

Section 1. The sum of \$1,000,000 be appropriated to finance the repair, replacement, improvement and installation of roofs in existing schools within the Town and all other costs incidental or related thereto (the "Project") and to raise said appropriation, the Finance Director, with the approval of the Town Council, is authorized under Section 45-12-2 of the General Laws Rhode Island and Section 7-1-1 of the Home Rule Charter of the Town, as amended, to issue bonds therefor, to issue temporary notes in anticipation of the issuance of bonds, and to issue refunding bonds pursuant to Section 45-12-5.2.

Section 2. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any bonds or notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds or notes shall be signed by the Finance Director and by the President of the Town Council.

Section 3. This Resolution is an affirmative action of the Town of Barrington toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent pursuant to the Treasury Regulations Section 1.150(2) to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the issuance of the bonds or notes. Amounts to be reimbursed shall not exceed \$1,000,000 and shall be reimbursed not later than eighteen (18) months

after (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

Section 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the bonds and notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on such bonds and notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Finance Director and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the bonds and notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 5. This Resolution shall take effect upon passage.

The motion passed (voice vote).

Motion by Mrs. Speakman and seconded by Mrs. Weymouth to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING
APPROPRIATING AN AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE THE
CONSTRUCTION, RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT
AND LANDSCAPING OF TOWN ROADS, SIDEWALKS AND DRAINAGE
FACILITIES WITHIN THE TOWN AND ALL OTHER COSTS INCIDENTAL OR
RELATED THERETO THROUGH THE ISSUANCE OF BONDS AND/OR NOTES**

BE IT RESOLVED that

Section 1. The sum of \$1,000,000 be appropriated to finance the construction, renovation, rehabilitation, repair, improvement and landscaping of Town roads, sidewalks and drainage facilities within the Town and all other costs incidental or related thereto (the "Project") and to raise said appropriation, the Finance Director, with the approval of the Town Council, is authorized under Section 45-12-2 of the General Laws Rhode Island and Section 7-1-1 of the Home Rule Charter of the Town, as amended, to issue bonds therefor, to issue temporary notes in anticipation of the issuance of bonds, and to issue refunding bonds pursuant to Section 45-12-5.2.

Section 2. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any bonds or notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds or notes shall be signed by the Finance Director and by the President of the Town Council.

Section 3. This Resolution is an affirmative action of the Town of Barrington toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent pursuant to the Treasury Regulations Section 1.150(2) to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the issuance of the bonds or notes. Amounts to be reimbursed shall not exceed \$1,000,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

Section 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the bonds and notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on such bonds and notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Finance Director and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the bonds and notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 5. This Resolution shall take effect upon passage.

Comments/questions by the following electors/non-electors: Norman McCulloch, 99 Adams Point Road; Meirav Werbel, 9 Westwood Lane; Mars Bishop, 121 Adams Point Road; Neal Personeus, 211 Sowams Road; Robert Shea, 8 Woodmont Court; and Charles Chapin, 10

Blount Circle, who is not a registered voter in Barrington. Discussion ensued. The motion passed (voice vote).

Motion by Mrs. Speakman and seconded by Mr. Sweetser to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING AUTHORIZING THE
ISSUANCE OF EMERGENCY NOTES TO FUND EMERGENCY APPROPRIATIONS**

BE IT RESOLVED that:

SECTION 1. In the event of an emergency threatening the public safety, health or welfare and requiring the immediate expenditure of money by the town, the town council, on the written recommendation of the town manager, by resolution, may appropriate funds in amounts and for purposes in addition to those contained in the operating budget or in the capital budget. Such a resolution shall include a brief statement of the facts that show the existence of such emergency.

SECTION 2. To fund said appropriation, the Finance Director, with the approval of the Town Council, is authorized under Section 45-12-2 of the General Laws Rhode Island to issue emergency notes.

SECTION 3. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any emergency notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the emergency notes. The notes shall be signed by the Finance Director and by the President of the Town Council.

SECTION 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the emergency notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on the emergency notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Treasurer and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the emergency notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

SECTION 5. This Resolution shall take effect upon passage.

Comments/questions by the following electors: Nick DeRosa, 392 Sowams Road; Ann Strong, 55 Teed Avenue; Gary Morse, 2 Westwood Lane; and Chuck Anastasia, 9 Laurel Lane. Discussion ensued. Motion by Chuck Anastasia and seconded to amend Mrs. Speakman's motion to include a cap of \$5 million. Motion failed (standing vote). Original motion by Mrs. Speakman passed (voice vote).

Motion by Mrs. Speakman and seconded by Mr. Lazzaro to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING AUTHORIZING THE
ISSUANCE OF TAX ANTICIPATION NOTES IN AN AMOUNT NOT TO EXCEED
\$5,000,000**

BE IT RESOLVED that:

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-4 and Section 6-5-2 of the Town of Barrington Home Rule Charter the Finance Director and the President of the Town Council acting on behalf of the Town, are authorized to issue and refund, from time to time, not to exceed \$5,000,000 interest bearing notes issued in anticipation of the receipt of the proceeds of the annual tax assessed or to be assessed upon the taxable property within the said Town as of December 31, 2008 for the financial year July 1, 2009 to June 30, 2010 for the purpose of providing funds for the payment of the current liabilities and expenses of said Town.

SECTION 2. The manner of sale, amount, denominations, maturities conversion or registration privileges, dated dates, due dates, interest rates, medium of payment, and other terms, conditions and details of the Notes authorized hereunder may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the Notes.

SECTION 3. The Director of Finance/Treasurer and the President of the Town Council are authorized to take all actions necessary to comply with federal securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to execute and deliver if required in connection with the Notes a Continuing Disclosure Agreement or a Material Events Disclosure Agreement in the form as shall be deemed advisable by the

Paper jammed in printer.

Director of Finance and the President of the Town Council in order to comply with the Rule. The Town hereby covenants and agrees that it will comply with and carry out all provisions of any such Continuing Disclosure Agreement or Material Events Disclosure Agreement, as either of them may be amended from time to time. Notwithstanding any other provision of this Resolution or the Notes, failure of the Town to comply with any such Continuing Disclosure Agreement or Material Events Disclosure Agreement shall not be considered an event of default; however, any noteholder may take such actions as may be necessary and appropriate, including seeking a mandate or specific performance by court order, to cause the Town to comply with its obligations under this Section and under any such agreement.

SECTION 4. This Resolution shall take effect upon its passage.

Comments/questions by John Harker, 124 Adams Point Road. Discussion ensued. The motion passed (voice vote).

Mrs. Califano saluted Barrington High School Principal John Gray who's retiring on June

Director of Finance and the President of the Town Council in order to comply with the Rule. The Town hereby covenants and agrees that it will comply with and carry out all provisions of any such Continuing Disclosure Agreement or Material Events Disclosure Agreement, as either of them may be amended from time to time. Notwithstanding any other provision of this Resolution or the Notes, failure of the Town to comply with any such Continuing Disclosure Agreement or Material Events Disclosure Agreement shall not be considered an event of default; however, any noteholder may take such actions as may be necessary and appropriate, including seeking a mandate or specific performance by court order, to cause the Town to comply with its obligations under this Section and under any such agreement.

SECTION 4. This Resolution shall take effect upon its passage.

Comments/questions by John Harker, 124 Adams Point Road. Discussion ensued. The motion passed (voice vote).

Mrs. Califano saluted Barrington High School Principal John Gray who's retiring on June 30th after 29 years of service. There was a standing ovation from all attendees honoring Principal Gray.

Report of the Appropriations Committee follows:

Account Number	Account	Appropriated for the FY Ending June 30, 2010
0300	Public Schools	42,402,083

Motion by Lee Ann McQueary, 6 Highview Avenue, and seconded "to increase the Committee-on-Appropriations' proposed School Budget from \$41,552,278.00 to \$42,402,083.00. This restoration represents an increase of \$849,805.00 which excludes administrative salary increases of \$48,185.00, originally proposed by the School Committee for fiscal year 2009-2010." Comments/questions by Kathleen Brueckner, 4 Ellis Street; Diane Stratton, 4 Heather Way; Michele Pimentel, 14 Zephyr Lane; Norman McCulloch, 99 Adams Point Road; Mark Allard, 43 Sowams Road; Senator David Bates, 65 Primrose Hill Road; Perri Levis, 7 Maxfield Court; Carol Williams, 2 Hoffman Lane, read a letter opposing any increase to the school budget on behalf of Dorothy Fiske, 37 Richmond Avenue, who was not able to attend the meeting due to illness; Ben Wooding, 9 Manor Road; Thomas Odjakjian, 21 Thomas Street; Brian Alverson, 19 Agawam Road; Joel Hellmann, 13 Richmond Avenue; Norman Dudziak, 32 Washington Road; Lisa Russian-DeMedina, 2 DeSpirito Lane; Kim Jacobs, 5 Massachusetts Avenue; Gary Morse, 2 Westwood Lane; Norman McCulloch, 99 Adams Point Road; Arnold Durfee, 73 Primrose Hill Road; Nancy Chaffee, 9 Massachusetts Avenue; Bruce Collemer, 14 Opechee Drive; and Laurie Dubel, 91 Mathewson Road. Discussion ensued. The motion passed (standing vote: 569 votes for; 323 votes against).

Motion by David Werbel, 9 Westwood Lane, and seconded "to increase the Committee-on-Appropriations' proposed School Budget from \$41,552,278.00 to \$42,450,278.00, as requested by the School Committee for the fiscal year 2009-2010." School Committee Chairman Jim Hasenfus stated as much as they appreciate Mr. Werbel's support as well as the support of everyone here, it would be the present intention of the individual members of the School Committee, as he understands it, to vote against this motion. The difference between this motion and the one that you just voted in favor of is that this motion includes the additional money for the administrators' salaries that Dr. McIntyre recommended freezing for this year. The Committee has already voted to approve Dr. McIntyre's suggestion and in light of that fact, we do not anticipate voting in favor of this motion ourselves. Mrs. Califano declared the motion defeated (voice vote). Mrs. Califano stated you have adopted a school budget.

Municipal Budget

Mrs. Califano stated that there are two sets of pre-filed motions dealing with a number of different lines. Glenn Short had submitted one and he has asked that his pre-filed motion be withdrawn. Dorothy Fiske had submitted the other set (Mrs. Fiske not here).

0010	Town Council	22,046
0020	Town Manager	194,358
0030	Town Clerk	233,474
0035	Judge of Probate	2,360

Rick Simms, 22 Joann Drive, stated that he wants to make a motion somewhat symbolically to increase the salary of the Probate Judge by 3%. Thirteen departments in the municipal budget have at least 3% or more salary increases including the Sealer of Weights & Measures. We have a Probate Judge in town that is a fine example of judicial excellence. That position has been paid \$2,000 for the past 20 years before he was appointed and every year since he has been appointed. He has demonstrated a great

degree of excellence in the position that he holds. He's highly esteemed in the legal community. This 3% would increase the budget by \$60.00. Motion by Mr. Simms and seconded to increase the Probate Judge's salary by 3% or \$60.00. The motion passed (voice vote).

0038	Board of Canvassers	13,300
0040	Finance Department	328,332
0045	Computer Operations	73,007
0050	Tax Assessor	123,445
0060	Inspections	94,461
0065	Sealer of Weights & Measures	1,528
0080	Planning Board	94,610
0090	Zoning Board	9,049
0100	Recreation Department	97,890
0110	Library	1,152,489
0120	Senior Services	119,839
0150	Fire Department	1,735,257
0155	Hydrant Rental	140,800
0180	Police Department	2,258,921
0190	Animal Control	12,000
0200	Harbor Control	38,815
0210	Civil Defense	3,750
0260	Public Works	2,597,617
0270	Benefits	3,066,000
	Social Security	583,320
	Medical Coverage	1,686,970
	Pensions	753,210
	Compensated Absences	35,000
	Unemployment Insurance	7,500
0310	Town Solicitor	150,000
0320	Insurance	309,843
0330	Agency Support	51,400
	Barr's Share East Bay Center	45,000
	URI Cooperative	900
	East Bay Community Action	5,000
	The Samaritans	500
0340	Principal on Bonded Debt	2,923,000
0350	Interest on Debt	584,398
0360	Capital Items: Police Department	78,500
	Fire Department	230,000
	Public Works	490,000
	Other	185,000
	School	265,000
0365	Government Center Utilities	69,700
0366	Peck Center Utilities	112,750
0367	Public Safety Complex Utilities	184,800
0370	Miscellaneous	71,400
	Total Gross Expenditures	57,720,177
850SE	Sewer Utility	2,975,523

Mrs. Califano declared the budget adopted.

Revenues

Mrs. Califano stated that these revenues are established outside the authority of the Town Meeting but if you have any questions, this is the time to ask.

David Werbel, 9 Westwood Lane, stated we passed a resolution with respect to the wind turbine account earlier this evening about unspent funds back to the General Fund. Where is the line item under General Fund and has that already been allocated and also is there any way we can actually use that for this year or will it just stay in the General Fund. The Finance Director stated that goes back to the General Fund reserves.

Motion by Mr. Sweetser and seconded by Mr. DeRosa to adopt the following resolution:

RESOLUTION ADOPTING THE REPORT OF THE COMMITTEE-ON-APPROPRIATIONS, AS AMENDED

RESOLVED: that the report of the Committee-on-Appropriations, appointed to prepare a budget, be adopted, as amended, and in accordance therewith, the sum of

\$57,720,177 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2010, and the Town Treasurer is hereby authorized and directed to pay out of the several appropriations mentioned, said sums within the amounts appropriated, as may be required upon receipt by him of proper vouchers approved by the Town Manager, or otherwise as provided by law.

BE IT FURTHER RESOLVED: that the report of the Committee-on-Appropriations with regard to the Sewer Enterprise Fund be adopted and in accordance therewith the sum of \$2,975,523 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2010, and the Town Treasurer is hereby authorized and directed to pay out of the Sewer Enterprise Fund said sums within the amount appropriated as may be required upon receipt by him of proper vouchers approved by the Town Manager or otherwise as provided by law. The expenditure shall be supported by revenue generated by said fund. The motion passed (voice vote).

Motion by Mr. Sweetser and seconded by Mrs. Cadigan to adopt the following resolution:

**ORDERING THE LEVY AND COLLECTION OF A TAX AND DEALING
WITH KINDRED MATTERS**

RESOLVED: that the electors of the Town of Barrington, qualified to vote on any proposition to impose a tax, in Town Meeting assembled, on this 27th day of May, A.D. 2009, hereby order the levy and collection of a tax on the ratable real estate, the ratable tangible personal property, ratable tangible personal property of manufacturer's machinery and equipment (the rate of said ratable tangible personal property of manufacturer's consisting of manufacturer's machinery and equipment to be in accordance with limitations and provisions of statutory law of the State of Rhode Island) and motor vehicle excise tax in the sum not less than \$51,761,832 nor more than \$51,958,995, said tax to be for ordinary expenses and charges, for the payment of interest and indebtedness in full or in part of said Town and for other purposes authorized by law.

The Tax Assessor shall apportion said tax on the inhabitants and taxable property of said Town according to law, and shall, upon completion of said resulting tax roll, date, certify and sign the same and deliver to and deposit the same in the Office of the Town Clerk. The Town Clerk, upon receipt of said assessments, shall forthwith make a copy of same and deliver it to the Town Treasurer with a warrant under her hand directed to the Collector of Taxes of said Town commanding him to proceed to collect said tax on the person and estates liable therefor. Said tax shall be due and payable on the 1st day of September, A.D. 2009, and all taxes remaining unpaid after September 30, 2009, shall carry until collected, a penalty at the rate of 18 per cent per annum from the due date of any quarterly installment, PROVIDED, HOWEVER, that the persons assessed to pay their taxes shall have an option to pay the same in equal quarterly installments; the first installment of twenty-five per centum on or before the 30th day of September 2009, and the remaining installments as follows: twenty-five per centum on or before the 31st day of December 2009, twenty-five per centum on or before the 30th day of March 2010, and twenty-five per centum on or before the 30th day of June 2010.

If the first installment or any succeeding installments of taxes is not paid by the last date of the respective installment period or periods as they occur then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of 18 per cent per annum.

As of the 31st day of December 2009, at twelve o'clock midnight, the Assessor of Taxes shall determine the assessed valuation of ratable property in the Town for tax purposes and against such assessed valuations so determined shall apportion the tax levy to be made by the electors in Financial Town Meeting on May 26, 2010 on the inhabitants of the Town and ratable property therein to meet appropriations.

RESOLVED: that the Collector of Taxes is hereby directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2010 prepared to certify to the Council the names of all persons whose taxes have remained unpaid or have been paid under protest as of that date, together with all amounts due from each, and also all the information in his possession connected with each case. The Tax Collector shall also prepare and certify to the Town Council the names of all persons to whom he recommends there shall be granted tax abatements on tangible personal property because they have deceased leaving no assets, have moved out of State leaving no assets or whose tax has been ruled uncollectible by court, as provided in the General Laws of Rhode Island, 1956, as amended, Title 44, Chapter 7, Section 14, as amended to date, together with the reason for the abatement and the amount.

RESOLVED: that the Assessor of Taxes is directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2010 prepared to certify

to the Council the names of all persons recommended to be granted tax abatements because of mistakes in the assessment as provided in the General Laws of 1956, Title 44, Chapter 7, Section 14, as amended to date, together with the nature of the mistake, the valuation and the amount of tax recommended for abatement.

RESOLVED: that the Town Council is hereby authorized, empowered and directed to investigate each case so brought before them, and whenever in their judgment, the tax has been illegally or wrongfully assessed or the tax on any tangible personal property is uncollectible because the owner has deceased leaving no assets, has moved out of State leaving no assets or whose tax has been ruled uncollectible by the court, they are hereby authorized and empowered to remit such tax. In all cases, the Collector of Taxes is hereby directed to collect by process of law, all taxes due and unpaid on August 1, 2009. The Collector of Taxes is further directed to collect by process of law all tangible personal property taxes levied in 2009, which remain unpaid on September 30, 2009 unless being paid quarterly.

RESOLVED: that the Town Treasurer is hereby authorized to hire such sum or sums of money as may be necessary for the operation of the Town Government, and

RESOLVED: that the Town Treasurer and Collector of Taxes and such other Town Officers as the Town Council may designate shall secure their bonds from some good surety company and the Town assume the expenses.
The motion passed (voice vote).

Motion by Mr. Sweetser and seconded by Mr. DeRosa to adopt the following resolution:

RESOLUTION TO ESTABLISH TAX RATES

RESOLVED: that the real estate and personal property tax rate be set at not greater than \$16.10 per \$1,000 valuation and the motor vehicle tax rate be set at \$42.00 per \$1,000 valuation. Pete Peterson, 405 New Meadow Road, asked what happens if this tax rate is rejected. Town Solicitor Michael Ursillo stated this is actually a pro forma motion because the body has already adopted the budget. All that's happening here is that budget is being divided up amongst all the properties in town. Mrs. Califano stated that there is clearly protection of those who have left the meeting that their vote still stands so we can't reconsider without the full body. Jenny Flanagan, 117 Highland Avenue, stated she's surprised by the practice of rounding up to the nearest 10¢. What is the impact on the average tax bill for that 3¢ per thousand. Mrs. Califano stated that the reason is to cover the abatements. The Finance Director stated that generally a penny on \$100,000 is \$1.00 so every \$100,000 would be \$3.00 so times the value of your house. The motion passed (voice vote).

Motion by Mary Alyce Gasbarro, Chairwoman of the Democrat Town Committee, and seconded by Stephen B. Primiano, Chairman of the Republican Town Committee, to adopt the following resolution:

RESOLUTION

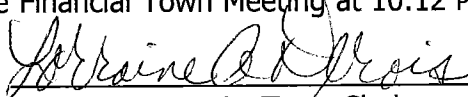
APPOINTING A COMMITTEE TO PREPARE A BUDGET AND SUBMIT A REPORT

RESOLVED: that a committee of five (5) consisting of Kathryn D. Cadigan, 88 Rumstick Road, Nicholas R. DeRosa, 392 Sowams Road; Geoffrey E. Grove, 16 Robbins Drive; Pam Wheeler Mitchell, 111 Highland Avenue and Timothy R. Sweetser, 12 Roberta Drive is hereby appointed to hold a public meeting on the second Wednesday in May 2010 at 7:00 o'clock P.M. for the purpose of hearing all persons interested in preparing a budget to be presented to the Financial Town Meeting and to submit a printed report of their recommendations for expenditures to the Financial Town Meeting, and the amount of tax which will be necessary to levy to pay such expenses, and

RESOLVED: that in case of a vacancy in the committee after the appointment of its members, such vacancy shall be filled immediately by the Town Council, and

RESOLVED: further that the Town Clerk with the said Committee-on-Appropriations shall prepare and have printed an order of business for each Financial Town Meeting. David Werbel, 9 Westwood Lane, asked if Committee members are elected or if this is the appointment process. Mrs. Califano stated that the members are elected annually. The motion passed (voice vote).

Motion and seconded to dissolve the Financial Town Meeting at 10:12 P.M. Passed (voice vote).


Lorraine A. Derois, Town Clerk