

Annual Financial Town Meeting
May 26, 2010 @ 7:00 P.M.
Barrington High School Gymnasium

Total Eligible: 13,972
Attendance: 92 @ 7:00 P.M.
130 @ 7:55 P.M.

Present:

- **Town Moderator:** Julia P. Califano
- **Town Clerk:** Lorraine A. Derois
- **Town Council:** June Sager Speakman, 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
- **School Superintendent:** Dr. Robert O. McIntyre
- **School Director of Administration and Finance:** Ronald D. Tarro

Absent: Town Council Vice President Jeffrey S. Brenner (out of State)

Absent: School Committee member Amy Page Oberg (not feeling well)

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

Mrs. Califano thanked Mike Davis for being here again to provide the live feed on Full Channel television, Channel 16, and also Nahum Mitnik for providing the sound system for tonight's proceedings.

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

Mrs. Califano recognized Town Clerk Lorraine Derois: This evening represents a milestone in Barrington history, because we have grown accustomed to town clerks who serve us for long periods of time. Tonight will be Lorraine Derois' 27th and final Financial Town Meeting as clerk. Lorraine has worked for the town of Barrington for 40 years and served as town clerk for almost 27. For visitors and Barrington residents, she and her office are the face of municipal government, and they provide exceptional service and make us very proud.

Council President June Speakman recognized Town Clerk Lorraine Derois: 40 years of service to the town. Imagine how many council meetings. How many pages of minutes. How many different council members with all of our quirks and demands. How many licenses issued, deeds recorded, requests for information answers. Most important, Lorraine and her staff have been the face of the town—the point of first contact between residents (and non-residents) and the town of Barrington. And here and in all of her other roles she has offered: Competence, efficiency, grace, humility, good humor and a warm smile. People who devote their careers to public service do not get fancy watches or piles of stocks or other material manifestations of appreciated for years of devoted, high quality work for the residents of Barrington. We can not do that in the public sector. What we can offer is our deep and abiding gratitude and our very best wishes for a long, happy, fulfilling retirement. All the best, many, many thanks and we will miss you.

Motion by Mr. Sweetser and seconded by Mrs. Cadigan to dispense with the reading of the Call, but it is part of the record as it appears on page 454A. Passed unanimously (voice vote).

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

**RESOLUTION TO AUTHORIZE
 CONVEYANCE OF PROPERTY LOCATED AT
 562-568 COUNTY ROAD, BEING ASSESSOR'S PLAT 16, LOT 31**

RESOLVED: To authorize the conveyance of the property located at 562-568 County Road, being Assessor's Plat 16, Lot 31, to West Elmwood Housing Development Corp. for consideration of \$1.00 (One Dollar) for the purpose of constructing affordable housing units thereon with a right of reverter in the event that affordable housing units are not so constructed. 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
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.
The motion 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, 2009 for the financial year July 1, 2010 to June 30, 2011 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 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

WARNING FOR FINANCIAL TOWN MEETING

457A

State of Rhode Island and Providence Plantations

County of Bristol, SC:

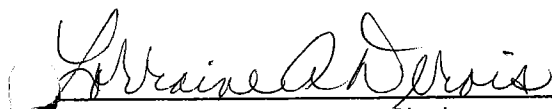
By the Town Clerk of Town of Barrington, Rhode Island to Dino DeCrescenzo, Town Sergeant of the Town of Barrington, or any of the Constables of the said Town.

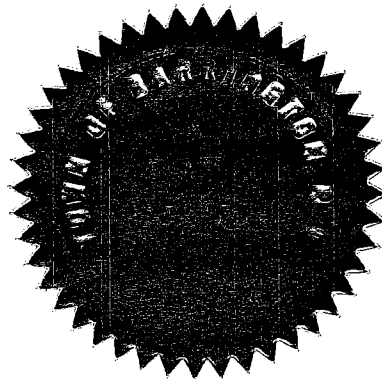
GREETING:

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 26th day of May, A.D. 2010, 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 Auditorium at the Barrington High School in the Town of Barrington on the 26th day of May, A.D. 2010 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 authorizing the conveyance of property located at 562-568 County Road, being Assessor's Plat 16, Lot 31
2. Resolution authorizing issuance of Emergency Notes to Fund Emergency Appropriations
3. 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. 2010 at the Town of Barrington, Rhode Island.


Lorraine A. Derois, Town Clerk



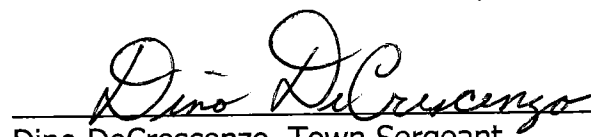
State of Rhode Island
County of Bristol

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 Auditorium of the Barrington High School in said Barrington on the 26th day of May, A.D. 2010 at 7:00 P.M. for the purpose set forth in the above Warrant.


Dino DeCrescenzo, Town Sergeant

State of Rhode Island
County of Bristol

In Barrington, in said County, on the 18th day of May, A.D. 2010, 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.


Dino DeCrescenzo, Town Sergeant

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.
The motion passed (voice vote).

Report of the Appropriations Committee follows:

Account Number	Account	Appropriated for the FY Ending June 30, 2011
0300	Public Schools	\$42,131,339
<p>Chad Mollica, 4 River Oak Road, asked why that is a good decision not to fund the school pension liability. Mrs. Cadigan stated she would defer to either the School Superintendent or the School Committee who accepted the recommendation of the State not to fund the pension in exchange for a greater amount of cuts; that was the decision that was made by school management. Mr. Hasenfus stated that this is a State issue and is not within the School Committee's control. Dr. McIntyre stated that the State cut us \$862,000 in State aid. In order to make up other deficits, this is how they had to deal with it. They set the rates for us every single year. We have no control over it, no input over it. We know it's a temporary fix. I'm hoping they can find another way to solve the problem. Mr. Tarro stated that the State establishes a pension rate for us and the pension rate dictates what our contributions are to the pension plan. Because we're in a pool plan for all the teachers within the State, our contribution goes into this pool. As a community, I wouldn't want to send extra money to a pool that I'm not getting any additional benefits for the community. Mr. Guida stated that the fact is that we would have been subsidizing the other communities in the State if we had voluntarily put an additional \$600,000 into the coffers; it would have been shared statewide. Senator David Bates stated that Barrington's pension fund is a lot better funded than most of the cities and towns in RI so it doesn't hurt us as bad. It's an irresponsible thing to be done on the part of the State. We really don't know what's happening with the budget. They're still negotiating between the House Finance Committee and the Senate Finance Committee. It appears that there won't be any State funding on the municipal side next year. There may be some other shifts of responsibility that we can take advantage of. We're looking at a cut in school spending, school reimbursement; we don't know what that is. The good news is that it looks a lot better than it ever has; we're going to have a funding formula. Representative Joy Hearn stated that as everybody knows, the State's finances are in a complete flux and debacle and there are no easy answers or easy conclusions. On Thursday, the House FY '11 budget will be heard in Finance, so it should be more public and they'll have a better sense as the week goes on. Gary Morse, 2 Westwood Lane, stated he pays very close attention to the pension issues and most of this is done as a matter of process under RI General Law 36-10-2. It is possible that this entire matter may never come to pass. In other words, this \$600,000 may not actually be just a deferment; it could be an actual credit. It's an unknown right now. Mr. Sweetser stated that this all arrived last spring; maybe a month ago a year ago. If we take the \$600,000 out of our savings account, that's a lot of money so we have to live with what the State hands down to us; we have to do what the State tells us to do. We get confronted with this deficit, if you will, and there's no real way around it. The only other option was either raise the tax rate above this year's 4½%, which would mean we would have to go to the State and ask permission or we'd have to take the amount out of our savings account in which case we'd have an issue with our credit rating and all of the other things that apply to that so it's not something that we do casually. There was no option. If we had better fiscal management at the State level, then we wouldn't be in this mess but if we had better fiscal management, then we'd have a school funding formula. Sandy McCulloch, Adams Point Road, stated that everybody should know that thanks to the skill and the tact and the convincing arguments of Dr. McIntyre, he made a wonderful presentation in front of the legislative body of the House in defense of an equitable funding formula to explain very carefully why Barrington deserved more which made most of the rest of the State gasp but thank you, Sir. Mr. McCulloch also thanked Senator Bates and stated that he has been working tirelessly with a widespread coalition of interests including charter schools, mayors, regents and everything else so that we will come out with, I hope, an equitable funding formula.</p> <p>Mrs. Califano asked if there were any other comments, questions; there were not. Mrs. Califano asked, are you ready to vote, and then stated all those in favor of the school budget say aye (unanimous). We've adopted a school budget.</p>		

Municipal Budget

0010	Town Council	\$	21,046
0020	Town Manager		194,358
0030	Town Clerk		233,474
0035	Judge of Probate		2,360
0038	Board of Canvassers		33,600
0040	Finance Department		328,322
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		8,349
0100	Recreation Department		94,860
0110	Library		1,152,488
0120	Senior Services		115,928
0150	Fire Department		1,734,604
0155	Hydrant Rental		138,400
0180	Police Department		2,257,032
0190	Animal Control		12,000
0200	Harbor Control		36,130
0210	Civil Defense		3,750
0260	Public Works		2,571,576
0270	Benefits		3,059,525
	Social Security	589,073	
	Medical Coverage	1,666,325	
	Pensions	761,627	
	Compensated Absences	35,000	
	Unemployment Insurance	7,500	
0310	Town Solicitor		150,000
0320	Insurance		331,900
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		2,903,000
0350	Interest on Debt		527,027
0360	Capital Items: Police Department		75,000
	Fire Department		230,000
	Public Works		240,000
	Other		30,000
	School		-0-
0365	Government Center Utilities		69,700
0366	Peck Center Utilities		112,750
0367	Public Safety Complex Utilities		184,800
0370	Miscellaneous		64,400

Total Gross Expenditures \$57,345,683

Chad Mollica, 4 River Oak Road, asked how come the Town made a full pension contribution on the municipal side. Mr. DeAngelis stated that, like the school, the Town paid exactly what the actuary said we should pay. Ann Strong, 55 Teed Avenue, asked can you give us some idea in the debt service account 340 as to when those bonds would be retired. Mr. Huff stated most end 10-15 years.

Mrs. Califano asked if there were any other comments, questions; there were not.

Mrs. Califano stated, you have approved the municipal budget.

850SE Sewer Utility 2,901,466

Mrs. Califano asked if there were any questions on the Sewer Utility; there were not.

Revenues

Mrs. Califano stated that revenues are established outside the authority of the Town Meeting but if you have any questions about revenues, this is the time to ask. There were no questions.

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

**RESOLUTION ADOPTING THE REPORT OF THE
COMMITTEE-ON-APPROPRIATIONS**

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 \$57,345,683 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2011, 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 \$2,901,466 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2011, 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 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 26th day of May, A.D. 2010, 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 \$53,784,734 nor more than \$54,190,070, 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. 2010, and all taxes remaining unpaid after September 30, 2010, 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 2010, and the remaining installments as follows: twenty-five per centum on or before the 30th day of December 2010, twenty-five per centum on or before the 30th day of March 2011, and twenty-five per centum on or before the 30th day of June 2011.

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 2010, 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 25, 2011 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 2011 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 2011 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, 2010. The Collector of Taxes is further directed to collect by process of law all tangible personal property taxes levied in 2010, which remain unpaid on September 30, 2010 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. Lazzaro 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. 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

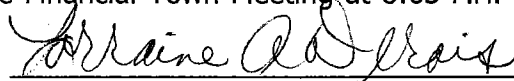
APPOINTING A COMMITTEE TO PREPARE A BUDGET AND SUBMIT A REPORT

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 2011 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. The motion passed (voice vote).

Motion and seconded to dissolve the Financial Town Meeting at 8:03 P.M. Passed (voice vote).



Lorraine A. Derois, Town Clerk