

TOWN COUNCIL

September 19, 2006

BOARD OF LICENSE COMMISSIONERS

1. Call to Order 7:00 p.m. Councilors Robinson, O'Grady, Macksoud and Loparto were present. Councilor McKenna was excused.

2. Pledge of Allegiance

3. Minutes

July 18

Voted 4-0 to accept the minutes from the July meeting, (KM – JO).

4. Application for Class F/Hearthside

a. Event September 28, 2006

Voted 4-0 to grant this a Class F License John Scanlon, (KM – RL).

b. Event on October 10, 2006

Voted 3-0 to grant a Class F License to Michael Napolitano, (KM – JO).

Councilor Robinson recused herself, as she is co- sponsoring this event.

c. Event October 14, 2006

Voted 4-0 to grant a Class F License to Lauree D'Ambra, (KM – RL).

5. Communication

a. Lincoln Police Department

Voted 4-0 to accept this communication from the Lincoln Police Department, (KM – JO). Town Solicitor, Mark Krieger will update the Council on recommendations to address this issue at the Asia Grill.

6. Application for Transfer of Beverage License (authorize advertising for public hearing)

a. Vanderlay Liquors

Voted 4-0 to advertise for a public hearing to be held on October 17 at 6:00 p.m. for the

Transfer of Class A license from FJ Gibbons to Vanderlay Liquors, (KM – JO). Solicitor

Krieger recused himself as he represents FJ Gibbons.

b. Ronald A. Loparto

Voted 3-0 to advertise for a public hearing to be held on October 17 at 6:30 p.m. for the

Transfer of Class BV license from Brooksies Sports Bar and Grill to Brooksies Sports

Bar and Grill of Lincoln, (JO – KM). Councilor Loparto recused himself as he is the

Transferee.

7. Application for Class F

a. Church of St. Basil the Great for event on September 30, 2006

Voted 4-0 to grant a Class F license to St. Basil's Church, (KM – JO).

TOWN COUNCIL

Call to Order 7:10 p.m.

Presentation of Citations

Town Administrator Sue P. Sheppard gave citations to the Girls 11 and 12 Softball State and New England Champions.

Consent Agenda

Voted 4-0 to accept the consent agenda as amended, (KM – JO). The consent agenda consists of the following:

Minutes

- 1. July 17 – Claims Committee**
- 2. July 17 – Ordinance Committee**
- 3. July 17 – Work Session**
- 4. August 15 – Claims Committee**
- 5. August 15 – Ordinance Committee**
- 6. August 15 – Special Meeting**
- 7. August 24 – Special Meeting**

Consideration of Monthly Bills

- 1. Accounts Payable – Library: \$**
- 2. Accounts Payable – School: \$**

3. Accounts Payable – Town: \$

4. Direct Pay – Town: \$

Communications

1. State Mandated Financial Reports

a. Town

b. School

2. Town Planner, Albert V. Ranaldi

3. Town of Richmond

4. RI DEM

5. RI DEM

6. RI DEM

Reports

1. Town Administrator

Tax Abatements

a. \$ 77,088.13

b. Settlement with Fire Tech, Inc

Public Comment

Ken Booth: Mr. Booth stated he is happy to see the appointment for Moderator on the agenda. He would also like to hear more discussion on the ballot question regarding the Financial Town Meeting.

Kevin Bryson: Mr. Bryson stated he disagreed with the As-Built plans for Manville Park, specifically the elevations.

Roy Colombe: Mr. Colombe suggested putting the job for excavating Manville Park out to bid.

Ron Loparto: Mr. Loparto asked the Council to consider restoring public comment at work sessions.

The Council voted 4-0 to dispense with the Council rules and consider the communication from Steve Reynolds. Mr. Reynolds was present and addressed the Council. He is asking that the portion of Old Jenckes Hill Road that he lives on be made one way. Councilor Macksoud asked if this could be referred to the Public Safety Committee. Councilor Loparto felt the Council should address this. Councilor Macksoud will draft a Resolution.

Voted 4-0 to accept the communication from Steve Reynolds, (KM – JO).

Minutes

8. July 17 – Executive Session

9. July 18 – Regular Meeting

Voted 4-0 to defer these minutes as amended, (KM – JO).

Appointments

1. Town Moderator

Voted 4-0 to defer to September 28, (KM – JO).

2. Tenant Board - District 1

Voted 4-0 to defer, (JO – KM).

3. Tenant Board – District 4

Voted 4-0 to defer, (RL - JO).

4. Conservation Commission – District 1

Voted 4-0 to defer, (JO – KM).

5. Conservation Commission – District 3

Voted 4-0 to appoint Michael Alexander, (KM – JO).

6. Conservation Commission – District 4

Voted 4-0 to appoint Ray Maxwell, Jr., (RL – JO).

7. Conservation Commission – District 5

Voted 4-0 to defer, (KM – JO).

8. Juvenile Hearing Board – District 3

Voted 4-0 to defer, (KM – JO).

9. Parks and Recreation Commission – District 5

Voted 4-0 to defer, (KM – JO).

10. Zoning Board – District 2

Voted 4-0 to re-appoint Kristen Rao, (KM – JO).

11. Personnel Board

Voted 4-0 to defer, (KM – JO).

Unfinished Business

1. Claims Committee Report

a. Jacek A. Wilinkiewicz

Voted 4-0 to deny the claim from Jacek A. Wilinkiewicz, (JO – KM).

2. Ordinance Committee Report

Councilor Macksoud reported these items are deferred in committee.

a. Ordinance 06-04: Amendment to Lincoln's Homestead Exemption

b. Ordinance 06-05: An Ordinance In Amendment To The Tax Rate of

The Town of Lincoln

c. Ordinance 06-09: An Ordinance on the Implementation of Charter Section C4-9

d. Resolution 06-22:Creation of Finance Committee

3. School Facilities update

a. Change Order

Voted 4-0 to approve Change Order #11 in the amount of \$68,887.27, (KM – JO).

Voted 4-0 to approve Renovation Change Order # 4 in the amount of \$83,640.00, (KM – JO).

Voted 4-0 to advertise for a public hearing on a zone change for Kenneth Demers on October 23, 2006 at 6:30 p.m., (KM – JO).

Voted 4-0 to dispense with the Council rules and consider a motion to restore public comment at work sessions immediately, (RL – JO).

Voted 2-2 to add to the Council rules, restoring public comment at Council work sessions, (RL – JO). Councilors Loparto and O’Grady were in favor and Councilors Robinson and Macksoud were opposed.

Councilor Loparto stated he feels the majority of the public wants this, and will dismiss any court action if this passes.

New Business

1. Resolutions introduction for Referral to Committee

a. Resolution 06-23: Re-Designation of Enterprise Zone

Voted 4-0 to dispense with the Council rules and consider this Resolution immediately, (KM – JO).

Voted 4-0 to amend Resolution 06-23 by removing “Sue P Sheppard” and replace it with “Town Administrator”, (KM – JO).

Voted 4-0 for passage of Resolution 06-23, (JO – KM).

Resolution 06-23

WHEREAS: The Town of Lincoln is desirous of submitting an application to the Director of the Rhode Island Department of Economic Development under the provisions of Chapter 42-64.3 of the General Laws of Rhode Island, as amended for the re-designation of an Enterprise Zone designation for census tracts, or portions thereof, within the City of Pawtucket and the Town of Lincoln; and,

WHEREAS: the submission of said application by the City of Pawtucket and the Town of Lincoln requires that the community make certain representations; deliver certain assurances, and accept such terms and conditions as required in Chapter 42-64.3 of the General Laws of Rhode Island, as amended, and the rules and regulations of procedure pertaining thereto; and,

WHEREAS: the goals of the Rhode Island Enterprise Zone Program is consistent with the goals of the Comprehensive Plan of the Town;

and,

WHEREAS: the Town Council of the Town of Lincoln, Rhode Island, desires to endorse and support the application of re-designation of the Moshassuck Valley Enterprise Zone to the Rhode Island Department of Economic Development's Enterprise Zone Council, and,

WHEREAS: the citizens of Lincoln have been given an opportunity at a public hearing to participate in the re-designation process; and,

WHEREAS; the re-designation process requires a resolution of the Town Council,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LINCOLN, AS FOLLOWS:

Section 1: That the Town Council authorizes the filing of an application to the RI Department of Economic Development's Enterprise Zone Council for the re-designation of an Enterprise Zone for the area of Census Tracts 150,151,163, and 164 in the City of Pawtucket and a portion of Census Tract 117 in the Town of Lincoln;

Section 2: That the Town Administrator be and hereby is authorized and empowered to make any and all assurances; accept any and all terms and conditions necessary and required to meet the obligations

and requirements of the Enterprise Zone program. In consideration of such, designation, the Council hereby acknowledges its responsibilities and duties that any such designation shall require.

2. Ordinance introduction for Referral to Committee

a. Ordinance 06-12 : An Ordinance Adopting and Enacting Impact Fees in The Town

Voted 4-0 to refer Ordinance 06-12 to the Ordinance Committee, (KM – JO).

b. Ordinance 06-11: An Amendment to the Homestead Exemption

Voted 4-0 to refer Ordinance 06-11 to the Ordinance Committee, (KM - JO).

5. Public Safety – Staffing Volunteer Fire Station

Councilor Loparto stated there is a new Fire Chief in Manville and everything is now under control.

Communications

1. State Mandated Financial Reports

a. Water Department

Voted 4-0 to defer this communication, (KM – JO).

Bids

a. Tax Exempt Financing Bids

Voted 4-o to defer this bid to September 28, (JO – KM). The Council had questions.

b. Telephone System

Voted 4-0 to piggyback the School Department bid and award the bid for Telephone System to Carousel for the Hybrid System in the amount of \$3,915 per month, (KM – JO).

Councilor Comment

Council President Robinson stated there will be a collection of new or used DVD's that will be distributed to Troops serving overseas.

Councilor O'Grady feels Ordinance 06-12 will greatly benefit the Town.

Adjourn

8:50 p.m.

Karen D. Allen

Town Clerk