

TOWN COUNCIL MEETING

October 17, 2006

BOARD OF LICENSE COMMISSIONERS

1. Call to Order 7:00 p.m. All Council members were present.

2. Pledge of Allegiance

3. Minutes

September 19

Voted 5-0 to accept the minutes from the September 19 meeting of the Board of License Commissioners, (KM – RM).

4. Application for Class F

a. Church of St. Basil the Great for event on October 28, 2006

Voted 5-0 to grant this Class F License, (KM – RM).

b. Church of St. Basil the Great for event on November 25, 2006

Voted 5-0 to grant, (KM – RM).

c. Church of St. Basil the Great for event on December 9, 2006

Voted 5-0 to grant, (KM – RM).

d. Church of St. Basil the Great for event on December 31, 2006

Voted 5-0 to grant, (KM – RM).

e. Event at Hearthside on November 19, 2006

Voted 5-0 to grant, (KM – JO).

5. Authorize Advertisement

a. Alcohol Beverage License Renewals

Voted 5-0 to advertise for a public hearing on November 21, 2006 at 7:00, (RM – KM).

b. 24 hour Victualling Licenses

Voted 5-0 to advertise for a public hearing on November 21, 2006 at 7:00, (KM – JO).

6. Communication

a. Richard A. Pacia

Voted 5-0 to accept this communication, (JO – KM).

7. Private Detective License Renewal

a. Lisa Bedard

Voted 5-0 to grant this renewal, (JO – KM).

b. Lucien Marcoux

Voted 5-0 to grant this renewal pending completion of application, (RM – JO).

c. Edward Fox

Voted 5-0 to grant this renewal, (KM – RL).

d. Eric Fox

Voted 5-0 to grant this renewal, (KM – JO).

TOWN COUNCIL

Call to Order 7:10 p.m.

Consent Agenda

Voted 5-0 to accept the consent agenda as amended, (RM – KM). The consent agenda consists of the following:

Minutes

- 1. September 18 – Work Session**
- 2. September 18 – Claims Committee**
- 3. September 18 – Ordinance Committee**
- 4. September 19 – Regular Meeting**
- 5. October 5 – Special meeting**

Consideration of Monthly Bills

- 1. Accounts Payable – Library: \$16,038.73**
- 2. Accounts Payable – School: \$**
- 3. Accounts Payable – Town: \$585,255.63**
- 4. Direct Pay – Town: \$2,581,053.54**

Communications

- 1. State Mandated Financial Reports**
 - a. School**
 - b. Water Department**
- 2. Town of North Kingstown**
- 3. Town of Middletown**
- 4. Town of Portsmouth**

5. Town of South Kingstown

6. Greg Gerritt, Executive Director Friends of the Moshassuck

7. Mrs. Carol S. Brotman

8. RI State Planning Council

9. Richard A. Pacia, Esquire

Reports

1. Town Administrator

Tax Abatements

a. \$ 69,954.58

Presentation: YMCA

Voted 5-0 to amend the agenda and hear the presentation from the YMCA, (KM – JO).

Town Administrator Sue P Sheppard introduced Jim Stewart, Director of the Pawtucket YMCA. Mr. Stewart's presentation introduced the concept of the Town and the YMCA partnering on a new Senior Center. The Y has plans to build a new facility which could house a 5,000 square foot senior center. It would also incorporate a four lane pool, full gym and multi-purpose rooms, all of which the senior center could utilize. The Town would need to contribute to the cost of construction and would run the senior programs.

The Councilors asked questions of Mr. Stewart. Council President Robinson asked if the building would be built even if the Town does not contribute. Mr. Stewart replied it would be a guarantee only with a \$1.6 - \$2 million contribution from the Town. The Councilors agreed they are interested in seeing a more detailed plan in writing.

Public Comment

John Cullen: Mr. Cullen spoke in favor of abolishing the Financial Town Meeting.

Ed Slattery: Mr. Slattery urged the Council to get the Banneker property back on the tax rolls.

Ron Loparto: Mr. Loparto urged voters to keep the Financial Town Meeting.

Minutes

6. September 28 – Special meeting

7. October 3 – Special Meeting

Voted 5-0 to defer these minutes, (KM – RM).

Appointments

1. Town Moderator

Voted 4-0, Councilor McKenna abstained, to appoint Robert Ericson, (JO – RL).

2. Tenant Board - District 1

Voted 5-0 to defer, (JO – KM).

3. Tenant Board – District 4

Voted 5-0 to defer, (RL – JO).

4. Conservation Commission – District 1

Voted 5-0 to defer, (JO – RM).

5. Juvenile Hearing Board – District 3

Voted 5-0 to defer, (KM – JO).

6. Parks and Recreation Commission – District 5

Voted 5-0 to re-appoint Gerard Dumas, (RM – KM).

7. Personnel Board

Voted 5-0 to defer, (KM – JO).

G. Unfinished Business

1. Claims Committee Report

a. none

2. Ordinance Committee Report

a. Ordinance 06-05: An Ordinance In Amendment To The Tax Rate of The Town of Lincoln

Councilor Macksoud reported this Ordinance is still in committee.

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

Voted 5-0 by roll call to adopt Ordinance 06-09, (KM – RM).

Ordinance 06-09

AN ORDINANCE ON THE IMPLEMENTATION OF CHARTER SECTION C4-9

“Unrestricted Surplus”

The Town Council of the Town of Lincoln hereby ordains:

Section 1. Legislative Intent.

Charter Section C4-9 requires the unrestricted surplus to be no greater than 8% and for any excess fund balance to be restricted equally for capital and open space purposes. The Town Charter is silent on how implementation of this section should be accomplished.

Section 2. Definitions

Unrestricted surplus: The audited General Fund cumulative unreserved fund balance surplus at the end of each fiscal year.

8% of the total annual operating budget: 8% of the General Fund expenditure current year (not audited year) operating budget.

Fund: As relates to capital and open space, a restriction of the General Fund's fund balance and not as a separate accounting fund.

Section 2. Rules of Implementation

Upon completion of the draft annual audit, the auditors and the town finance director shall compute the amount of unreserved general

fund, fund balance. Should this amount exceed 8% of the General Fund expenditure current year (not audited year) operating budget, the excess above 8% shall be equally allocated to reserved general fund balance accounts for open space and capital.

Section 3. Restoration to 8%.

Should the unreserved General Fund, fund balance be less than 8% at the year end and should there be balances in the reserved General Fund balance accounts for open space and capital, then the balances sufficient to restore the unreserved General Fund, fund balance to 8% shall be transferred in equal amounts from the reserved General Fund balance accounts for open space and capital.

Section 4. This ordinance shall take effect upon passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

d. Ordinance 06-12: An Ordinance Adopting and Enacting Impact Fees in the Town

Voted 5-0 by roll call to adopt Ordinance 06-12, (KM – RM).

PROPOSED IMPACT FEE ORDINANCE

ORDINANCE 06-12

An Ordinance Adopting and Enacting Impact Fees within the Town of Lincoln.

WHEREAS, the Lincoln Comprehensive Plan, as amended, supports growth management and impact fees, and

WHEREAS, the Town Council of the Town of Lincoln has entered upon such a growth management program in the Town, and

WHEREAS, the Town Council of the Town of Lincoln has determined that costs associated with growth create unfair burdens on existing taxpayers, and

WHEREAS, the Town Council of the Town of Lincoln has determined that a program of impact fees is consistent with the Town of Lincoln's Comprehensive Plan, its Zoning Ordinance, and State enabling acts relative thereto,

NOW, THEREFORE, the Town Council of the Town of Lincoln does hereby ordain as follows:

Section 1. Impact Fees Authorized.

This Article authorizes the establishment of an impact fee on land development in the Town of Lincoln for providing new and/or expanded capital facilities within the Town of Lincoln which are necessitated by such new development.

Section 2. Findings.

A) In accordance with RIGL Title 45 Chapter 45-22.4, the Town Council finds that an equitable program is needed for the planning

and financing of public facilities to serve new growth and development in the Town of Lincoln in order to protect the public health, safety and general welfare of the citizens of this Town.

B) It is therefore the public policy of the Town of Lincoln and in the public interest to assess, impose, levy and collect fees defined herein as impact fees for certain new development within the Town's jurisdictional limits.

C) It is the intent of the Town Council by enactment of this ordinance to:

1) Ensure that adequate public facilities are available to serve new growth and development;

2) Ensure that new growth and development does not place an undue financial burden upon existing taxpayers;

3) Promote orderly growth and development by establishing uniform standards to require that those who benefit from new growth and development pay a proportionate fair share of the cost of new and/or upgraded public facilities needed to serve that new growth and development;

D) The Town of Lincoln must improve and expand its public facilities in order to maintain current levels of service if new development is to be accommodated without decreasing current levels of service. This must be done in order to promote and protect the public health, safety, and welfare of current and future citizens;

E) The State of Rhode Island through the enactment of Rhode Island Comprehensive Planning Act of 1988 and the Zoning Enabling Act of 1991 (RIGL Sec. 45-24-30) has sought to encourage the Town of

Lincoln to enact innovative development regulations and techniques. Title 45 Chapter 45-22.4 specifically enables the Town Council to adopt impact fee ordinances.

F) The imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety, and welfare.

G) The fees established by this ordinance are derived from, based upon, and do not exceed the costs of providing for such facilities necessitated by new land developments for which the fees are levied. Such costs are established by the Town's Capital Needs Assessment prepared by the firm Robinson Green and Baretta.

H) The report entitled "Town of Lincoln, Rhode Island, Growth Management – Needs Assessment for Impact Fee Schedule and Ordinance," dated October 17, 2006, sets forth a reasonable methodology and analysis for the determination of the impact of new development on the need for and costs of facilities in the Town of Lincoln.

Section 3 Intent

A) The fees established by this Article are consistent with and are intended to assist in the implementation of the Lincoln Comprehensive Plan.

B) The purpose of this Article is to regulate the use and development of land so as to assure that new development bears a proportionate share of the cost of capital expenditures necessary to provide public

educational sites and facilities, as mandated by the State.

Section 4 Definitions

As used in this section, the following words have the meanings stated in this section:

A) “Capital improvements” means improvements with a useful life of ten (10) years or more, which increases or improves the service capacity of a public facility;

B) “Capital improvement program” means that component of the Town’s budget that sets out the need for public facility capital improvements for public facilities, the costs of the improvements, and proposed funding sources. A capital improvement program must cover at least a five (5) year period and should be reviewed at least every five (5) years;

C) “Developer” means a person or legal entity undertaking development, including any one person commencing a subdivision or land development project which may reasonably be expected to place students in the public schools, place additional burdens on the Town’s educational facilities and which requires the issuance of a building permit for one or more residential buildings;

D) “Impact fee” means the charge imposed upon new development by the Town of Lincoln to fund all or a portion of the public facility's capital improvements affected by the new development from which it is collected;

E) “Proportionate share” means that portion of the cost of system improvements which reasonably relates to the service demands and needs of the project; and

F) “Public facilities” means:

- 1) Roads, streets, and bridges, including rights-of-way, traffic signals, landscaping, and local components of state and federal highways;**
- 2) Storm water collection, retention, detention, treatment, and disposal facilities, flood control facilities, bank and shore projections, and enhancement improvements;**
- 3) Parks, open space areas, and recreation facilities;**
- 4) Police, emergency medical, rescue, and fire protection facilities;**
- 5) Public schools, including those capital projects undertaken by the Town or school district to accommodate existing and future Lincoln school-age pupils. Such facilities may be located within Lincoln or within any regional area; and**
- 6) Other public facilities consistent with a community's capital improvement program.**

G) Capital costs of public facilities are expenditures for the acquisition of fixed assets or additions to fixed assets and expenditures for site acquisition, construction, design, site development, necessary off-site improvements, capital equipment pertaining to such facilities, and debt service to finance such capital costs.

H) Independent fee calculation study means the demographic and/or capital facilities impact documentation prepared by a fee payer to allow the determination of the impact fee other than by the method established by this ordinance.

Section 5 Imposition of Public Facilities Impact Fee

A) Any person applying after the effective date of this ordinance, for

any building permit which adds new residential dwelling units or nonresidential commercial or industrial space is hereby required to pay a public facilities impact fee in the manner and amount set forth in this ordinance.

B) The requirement of funds for provision of public facilities shall be based upon needs as established by the capital improvement program and shall be consistent with the policies stated therein. The Building Official is charged with the administration of the section. The fee amount shall be based upon a fee schedule per residential dwelling unit and per square foot of nonresidential space, and shall be established by the Town Council annually for the fiscal year.

C) The fee payer is required to pay the fee as established annually by the Town Council. If a fee payer disputes the impact fee determined as described herein, then the fee payer may appeal the decision of the Building Official to the Zoning Board of Review in accordance with Article XIV of the Zoning Ordinance and may submit an independent fee calculation study for the land development activity for which a building permit is sought.

Section 6 Calculation of the Impact Fee

The impact fee is set forth in Section 4C of the Needs Assessment report and shall be the required methodology in this ordinance.

Section 7 Payment of Fee

The fee payer shall be assessed the facilities impact fee required by this ordinance upon application for a building permit, to the Building Official and shall be collected in full prior to the issuance of the

building permit.

Section 8 Capital Facilities Impact Fee Trust Fund Established

A) There is hereby established a separate capital facilities impact fee trust fund to be administered by the Finance Director. All funds collected shall be properly identified and promptly deposited in a special proprietary fund, which shall be invested in government insured or government backed instruments only with all interest accruing to the trust fund and used solely for the purposes specified in this ordinance.

B) Within eight (8) years of the date of collection, impact fees shall be expended or encumbered for the construction of public facilities capital improvements of reasonable benefit to the development paying the fees and that are consistent with the capital improvement program.

C) Where the expenditure or encumbrance of fees is not feasible within eight (8) years, the Town may retain impact fees for a longer period of time if there are compelling reasons for the longer period. In no case shall impact fees be retained longer than twelve (12) years.

D) Funds withdrawn from this account must be used in accordance with the provisions of Section 9 of this ordinance.

Section 9 Use of Funds

A) Funds collected from capital facilities impact fees and deposited in the capital facilities impact fee trust fund by the Finance Director are for the purpose of constructing such facilities as described in the Needs Assessment report. Such funds shall be spent solely to acquire, construct, expand, and equip the capital facilities identified

in the report.

B) Funds may be used to make refunds required by Section 11 of this ordinance.

Section 10 Vested Rights

Any application for a building permit (not foundation permit) that has been submitted and has been deemed complete prior to the adoption of this amendment, shall have vested rights to proceed with the application and receive a building permit without requiring the payment of an impact fee.

Section 11 Refund of Fees Paid

A) Any funds not expended or encumbered by the end of the calendar quarter immediately following eight (8) years, or twelve (12) years if Section 8 C) of this Ordinance applies, from the date the capital facilities impact fee was paid, shall be refunded to the current owner of record for the Assessor's Plat and Lot for which the fee was paid. The refund shall include interest on the original fee amount, equal only to the actual interest that the Finance Director may have accrued through an investment account or similar interest bearing account.

B) The Town shall notify the said current owner of record by certified letter, return receipt requested, that a refund of impact fees are due for the reasons provided in Section 11 (A). Said current owner of record may respond and submit an application for a refund to the Building Official within one (1) year from the date of receipt of the Town's notice. Failure to respond within the specified time period shall indicate a waiver for such refund.

C) If the Town Council were to act to terminate any or all impact fee

requirements, all unexpended or unencumbered funds shall be refunded as provided above. Upon the finding that any or all fee requirements are to be terminated, the Town shall place a notice of termination and availability of refunds in a newspaper of general circulation within the Town of Lincoln at least two (2) times. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds may be transferred to the general fund and used for any public purpose. The Town is released from this notice requirement if there are no unexpended or unencumbered balances within a fund or funds being terminated.

Section 12 Exemptions

The following shall be exempted from payment of the impact fee. Any claim of exemption must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

A) Impact fees shall not be imposed for remodeling, rehabilitation, or other improvements to an existing structure where the use is not changed.

B) Impact fees shall not be imposed for the construction of accessory buildings or structures which will not add a residential dwelling unit. This exemption does not apply to accessory nonresidential additions or detached structures.

C) Impact fees shall not be imposed for rebuilding a damaged structure, including the replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use.

D) Any new residential housing units that meet the definition of “Affordable Housing” by Rhode Island Housing are exempt from impact fees.

Section 13 Effective Date

Following the adoption of this ordinance, the impact fee shall be calculated as provided above, and shall take effect on November 1, 2006.

Applications submitted and accepted as complete before November 1, 2006 shall not be subject to this amendment. This amendment shall supersede any and all ordinances inconsistent herewith.

e. Ordinance 06-11: An Amendment to the Homestead Exemption Voted 5-0 by roll call to adopt Ordinance 06-11, (KM – JO).

Ordinance

06-11

AN ORDINANCE IN AMENDMENT TO THE TAXATION ORDINANCE OF THE TOWN OF LINCOLN`

The Town Council of the Town of Lincoln hereby ordains as follows:

Section 1. Article V of the Town of Lincoln Code of Ordinances in Chapter 228 entitled "Taxation" is hereby created by adding thereto the following sections:

ARTICLE V. HOMESTEAD ORDINANCE

Sec. 228-13. Legislative Finding. The Town Council finds a legitimate interest in providing owner occupied dwelling units with a reduction in real estate property taxes and hereby adopts a uniform procedure for the application of the Homestead Exemption.

Sec. 228-14 Procedure:

1. Applicants for the Homestead Exemption shall submit completed application forms to the Office of the Tax Assessor on or before April 15th of the tax year for which the exemption is sought. For illustrative purposes, taxpayers seeking the Homestead Exemption for the tax year from January 1, 2007 to December 31, 2007, with the first quarterly payment due by July 31, 2007, would be required to file a completed application on or before April 15, 2007. The applications shall be available at the Office of the Tax Assessor and shall be in form and substance approved by the Town Solicitor. The Tax Assessor, in his/her sole discretion shall be authorized to reject any incomplete or inaccurate applications.

Section 2.

This ordinance shall take effect immediately upon passage. Any ordinance or parts of ordinances inconsistent herewith are hereby repealed.

Resolutions

a. Resolution 06-22:Creation of Finance Committee

Councilor Macksoud reported this Resolution is still in committee.

b. Resolution 06-24: Old Jenckes Hill Road

Voted 5-0 to adopt Resolution 06-24, (KM – RM).

Resolution

06-24

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

**THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY
RESOLVES:**

WHEREAS, pursuant to Article 5 Section 8 (3) of the Lincoln Town Charter, the members of the Lincoln Town Council are empowered to enact resolutions for the government of the Town to promote the preservation of the public peace, health, safety, welfare and comfort of the inhabitants and the protection of persons and property, and

WHEREAS, cities and towns are granted authority over local matters under the provisions of Article XIII of the Constitution of the State of Rhode Island (Home Rule Amendment) and,

WHEREAS, pursuant to Rhode Island General Laws 31-13-3, the traffic authority of the Town of Lincoln may place and maintain traffic control signs and other safety devices upon the highways under their jurisdiction as they may deem necessary to regulate or guide traffic, provided the signs and devices conform to the regulations and specifications established by the State Traffic Commission, and

WHEREAS, pursuant to Section 240-8 of the Lincoln Code of Ordinances, the Traffic Engineer is authorized to designate from time to time one way streets, and

WHEREAS, the Town Council has determined that a dangerous and unsafe condition with regard to the ingress and egress of motor vehicles exists on a portion of Old Jenckes Hill Road more particularly described in Exhibit "A", attached hereto and incorporated herein by reference,

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Lincoln hereby requests that the Town Administrator, designate that portion of Old Jenckes Hill Road more particularly described in Exhibit "A" as a one-way street and erect or cause to be

erected a sign indicating such usage.

3. School Facilities update

a. Change Order

The Council voted 5-0 to deny the change order request for portable radios in the amount of \$4,872.00, (KM – RM). Council members felt his money should come from the School Department’s operating budget.

Voted 5-0 to approve a change order in the amount of \$7,932.00 to upgrade the Security System at the Middle School, (KM – RM).

Voted 5-0 to approve a change order in the amount of \$30,839.36 for moving expenses. When this item was bid there were no bidders. There will be a credit issued.

Voted 5-0 to approve change order #4 in the amount of \$37,097.00, (KM – LR).

Voted 5-0 to approve Change order #COR 5003 in the amount of \$83,714.00 for upgrades to the athletic field sod and an irrigation system, (KM – RM).

New Business

1. Resolutions introduction for Referral to Committee

a. Resolution 06-25: Reject Ballot Question 10

Voted 4-1, with Councilor McKenna opposed, to dispense with the Council rules and consider this resolution immediately, (JO – RL).

Voted 4-1 , with Councilor McKenna opposed, to approve Resolution 06-25 as amended, (JO – KM).

Resolution 06-25

The Town of Lincoln

Resolution of the Town Council

A Resolution Urging Lincoln Voters to Defeat Ballot Question 10: Elimination of the Financial Town Meeting

Whereas: On November 7th the voters of Lincoln will be asked to decide the fate of the Town's Financial Town Meeting;

And Whereas: Ballot Question 10, if successful, would eliminate the powers currently vested in the town's Financial Town Meeting and place all such powers solely in the purview of the Lincoln Town Council;

And Whereas: The future budgetary procedures of the Lincoln Town

Council should the Financial Town Meeting be eliminated- including those regarding public input- have not been established and will not be established prior to November 7th;

And Whereas: Ballot question 10, if successful will forever eliminate the opportunity for all the taxpayers in Lincoln to be involved in determining the Town's finances;

And Whereas: Any such procedures established after November 7th are subject to revision at the sole discretion of the Lincoln Town Council and not the voters;

And Whereas: Sub-Section S of Ballot Question 10 delegates to the Lincoln Town Council the authority to enact unspecified future Charter changes without additional voter approval to implement the elimination of the Financial Town Meeting;

And Whereas: Ballot Question 10 calls for the replacement of an elected, non-partisan, Budget Board with a Budget Board appointed by a partisan Town Council;

And Whereas: A majority of the current members of the Lincoln Town Council believe that the current Financial Town Meeting structure, while not perfect, adequately promotes and protects the fiscal integrity of the Town's budgetary process;

Therefore be it Resolved: That the Lincoln Town Council urges Lincoln voters to reject Ballot Question 10 on November 7th.

b. Resolution 06-26: Opposing a Casino in West Warwick

Voted 5-0 to table this resolution, (KM – JO).

c. Resolution 06-27: Opposing a Casino in West Warwick

Voted 5-0 to dispense with the council rules and consider this resolution immediately, (KM – RM).

Voted 5-0 to adopt this resolution, (KM – RM).

Resolution

06-27

A RESOLUTION IN OPPOSITION TO A STATE CONSTITUTIONAL AMENDMENT TO ALLOW A GAMBLING CASINO IN THE TOWN OF WEST WARWICK

BALLOT QUESTION #1

WHEREAS, the General Assembly has adopted a resolution placing a constitutional amendment before the voters which would grant a private entity the right to a no-bid license for a casino to be located in the Town of West Warwick, and

WHEREAS, a casino in West Warwick is a matter of statewide concern as well as a matter of concern for the taxpayers of the Town of Lincoln, and

WHEREAS, amending our state constitution, which enumerates our most basic rights, to allow a no-bid gambling casino contravenes the principles of constitutional government and our state constitution should not be used in this manner for the establishment of a casino in Rhode Island, and

WHEREAS, amending the state constitution to memorialize this no-bid contract is bad public policy and would set a very dangerous precedent, and

WHEREAS, contrary to information in print and in electronic advertising, the casino would not bring tax relief for Rhode Islanders, but rather would find the State with a \$1.1 billion net revenue loss as a consequence of the lower tax rate Harrah's proposes to pay (25% vs. the 61.2% paid by Lincoln Park and 63.5% paid by Newport Grand), and

WHEREAS, the economic damage caused by a gambling casino in West Warwick includes damage to the State's tourism, hospitality, entertainment, and restaurant industry and other related and associated businesses, in Lincoln and in Rhode Island, who cannot

fairly compete with the economic advantages casino operators possess, and

WHEREAS, because Harrah's wants to pay less than half the current Rhode Island gaming tax, more than \$2 will have to be wagered for every dollar lost in revenue at our current facilities, with the social consequences of doubling the amount of gambling here in Rhode Island unthinkable,

NOW THEREFORE, BE IT RESOLVED by the Town Administrator and Town Council of the Town of Lincoln to strongly oppose the expansion of gambling and specifically the proposed constitutional amendment to allow for a casino in the Town of West Warwick, and be it further

RESOLVED, to encourage the citizens of the Town of Lincoln to vote NO and reject Question 1 "Amendment to the Constitution of the State (Resort Casino in West Warwick to be privately owned and operated by a Rhode Island Business Entity established by the Narragansett Indian Tribe and its chosen partner)"

d. Resolution 06-28: RIDEM Open Space Grant

Voted 5-0 to dispense with the council rules and consider this

resolution immediately, (KM – RM).

Voted 5-0 to adopt resolution 06-28, (KM – RM).

RESOLUTION 06-28

TO SUPPORT FILING OF APPLICATION FOR FUNDS FOR THE 2006 RHODE ISLAND NATURAL HERITAGE PRESERVATION COMMISSION - OPEN SPACE GRANTS

WHEREAS, grants for 50% of the approved project costs to a maximum grant award will be \$400,000 are available from the Rhode Island Open Space and Recreational Area Bonds, and are made available through the Rhode Island Natural Heritage Preservation Commission Grant program, and

WHEREAS, the primary goal of this program is, “the preservation of open space that possesses natural, ecological, agricultural or scenic values, by purchase of fee title to, development rights, or conservation easements over eligible open space”, and

WHEREAS, the preservation of open space lands within the Town will serve all segments of the community is a stated goal of the Town of Lincoln’s 2003 Comprehensive Plan, and

WHEREAS, the Town of Lincoln, the Lincoln Land Trust, and the Town of North Providence's Land Trust has agreed to file a mutual application for funding of an open space grant for the vacant parcel of land surrounding the property known as LePore Farm and located on Angell Road. Approximately 10 acres of open farm land is located in Lincoln and approximately 12.5 acres of open farm land is located in North Providence. The LePore farm and its associated structures are comprised of approximately 3 acres.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Lincoln hereby consents to the application for grant funds for the above named property in the amount of no more than \$400,000.00.

e. Resolution 06-29: Regarding Board of Water Commissioners Bond Anticipation Notes

Voted 5-0 to table this resolution, (JO – RM).

2. Ordinance introduction for Referral to Committee

a. Ordinance 06-13: Amendment to the Zoning Ordinance

Voted 5-0 to defer this ordinance introduction, (RM – KM).

3. Claims for Referral to Committee

a. Stanley Dowicki

Voted 5-0 to refer this matter to the Solicitor to investigate, (JO – RM).

5. Purchase New Rescue Vehicle

Voted 5-0 to approve an emergency purchase of a rescue vehicle in the amount of \$179,511.00 from Horton at the advise and recommendation of the Finance Director and the Rescue Chief in accordance with emergency purchase procedure ordinance, (KM – RM)

Voted 5-0 to approve the financing for the rescue vehicle from Financing All-American for three years with an annual fee of \$59,662.00 first due July 15, 2007 at the recommendation of the Finance Director and the Rescue Chief, (KM – RM).

Communications

10. State Mandated Financial Reports

a. Town

Voted 5-0 to accept this communication, (JO – RM).

11. Town Councilman Jeremiah O’Grady

Voted 5-0 to accept this communication, (JO – RM). Councilor O’Grady would like to interview future zoning board members.

12. Maureen F. Smith, Deputy Town Clerk

Voted 5-0 to accept this communication, (KM – JO). Council President Robinson thanked Ms Smith for setting up the Municipal Court and getting it up and running.

Bids

a. Town Calendar

Voted 5-0 to award this bid to Graphic Imaging in the amount of \$5,360.00 at the recommendation of the Finance Director, (RM – KM/JO).

Adjourn 9:05 p.m.

Karen D. Allen

Town Clerk