

TOWN COUNCIL MEETING

December 19, 2006 at 7:00 p.m.

BOARD OF LICENSE COMMISSIONERS

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

2. Minutes

November 21

November 28

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

3. License Renewals

a. Jam Development Corp. d/b/a Pizza Works

Voted 5-0 to deny the renewal of this license, (KM – JO). The license holder has not received a certificate of good standing from the Division of Taxation, and is not fully compliant with the Limerock Fire Department.

b. Columbus Club

Councilor Macksoud recused himself from this discussion as he is a member of the Knights of Columbus. The Council voted 3-1 to grant another 30-day extension to the Columbus Club to allow them to

complete their fire code upgrades, (RM – RL). Councilor O’Grady was opposed to the extension.

c. Breakneck Food Corp. d/b/a The Lodge

Voted 5-0 to grant the renewal to Breakneck Food Corp, (KM – JO).

d. 1526 Inc. d/b/a Birch Tree Pub

Voted 4-1 to grant an extension until December 27, 2006, (RM – RL).

Councilor O’Grady was opposed to the extension. Voted 5-0 to authorize the Town Clerk to issue the license upon receipt of documents from the Limerock Fire Department stating all conditions have been met by December 27, 2006, (KM – RM).

Voted 5-0 to unfreeze the Liquor Licenses, (KM – JO).

Voted 5-0 to freeze the Liquor Licenses at the current level, (KM – RM).

4. Special Event License Application

a. Robert Campellone’s Lincoln Dodge

Voted 5-0 to grant a Special Event License to Lincoln Dodge, (KM – RL). They will have police

Detail during the hours of 5:00 to 7:00p.m.

TOWN COUNCIL

Call to Order 7:16 p.m.

Presentations

Council President Robinson made a presentation to Town

Administrator Sue P. Sheppard.

Councilor Macksoud made a presentation to Council President Elizabeth Robinson.

Councilor McKenna made a presentation to Councilor Ron Loparto.

Town Administrator Sheppard recognized outgoing council members and the Town Hall staff.

Presentation also to the Lincoln High School Girls Soccer team, RI State Champions

Town Administrator Sheppard gave citations to the girls soccer team.

Consent Agenda

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

Minutes

- 1. October 3 – Special Meeting**
- 2. October 17 – Ordinance Committee**
- 3. November 20 – Work Session**
- 4. November 20 – Ordinance committee**

Consideration of Monthly Bills

- 1. Accounts Payable – Library: \$**
- 3. Accounts Payable – Town: \$**
- 4. Direct Pay – Town: \$**

Claims for Referral to Committee

- a. Geoff Mongeon**

Communications

1. State Mandated Financial Reports

a. Town

2. Robert Ericson

3. Councilor-Elect James Jahnz

4. City of Providence

5. State Planning Council

6. Zoning Officer Russell Hervieux

Reports

1. Town Administrator

Tax Abatements

a. \$ 71,678.53

Public Comment

Jeffrey Weiss: Mr. Weiss asked the council to table the tax cap legislation. He feels the FTM can handle this issue. He will also continue to research a compensation package for future consideration.

Robert Ericson: Mr. Ericson feels the tax cap issue has already been addressed by the state.

Minutes

5. November 21 – Regular Meeting

6. November 28 – Special Meeting

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

Appointments

1. Tenant Board - District 1

Voted 5-0 to defer this appointment, (JO – RM).

2. Tenant Board – District 4

Voted 5-0 to defer this appointment, (RL – RM).

3. Conservation Commission – District 1

Voted 5-0 to defer this appointment, (JO – RM).

4. Land Trust - District 3

Voted 5-0 to reappoint Brian Gaudagni, (KM – JO).

5. Library Board – District 3

Voted 5-0 to defer this appointment, (KM – JO).

6. Library Board – District 5

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

Unfinished Business

Resolutions

a. Resolution 06-30: Total Disabled Veterans Exemption

Voted 5-0 by roll call for passage of Resolution 06-30, (KM – JO).

Resolution

06-30

RESOLUTION

The Town Council of the Town of Lincoln hereby resolves:

WHEREAS, pursuant to RIGL 44-3-4 (b)(7), as amended, and the Town of Lincoln Code of Ordinances, Section 228-6 provides for a tax exemption for totally disabled veteran resident property owners of the town in an amount not to exceed \$10,000.00 in valuation, and

WHEREAS, it is the intention of the Town Council to raise the current totally disabled veteran exemption amount to \$15,000.00 in valuation, and

WHEREAS, it is the intention of the Town Council that this exemption increase should be effective for taxes assessed as of December 31, 2006, and

WHEREAS, any amendment of the Town ordinances in respect to the exemption amount for totally disabled veterans requires the approval by the Rhode Island General Assembly under the provisions of RIGL 44-3-4 (b)(7), as amended.

NOW THEREFORE, the Lincoln Town Council hereby resolves that the Rhode Island General Assembly is hereby requested, in its January 2007 session to amend RIGL 44-3-4 (b)(7) in order to provide each eligible totally disabled veteran a tax exemption consistent with the provisions of the ordinance attached hereto as Exhibit A.

EXHIBIT A

Section 228-6. Exemption for totally disabled veterans.

Any veteran as herein-defined or as otherwise designated by Rhode Island General Laws § 44-3-4, who is a resident and citizen of the Town, and who shall be determined, under applicable federal law by the Veterans Administration of the United States to be totally disabled through service-connected disability, shall receive an exemption of \$15,000 from local taxation on property he owns, whether real or personal.

b. Resolution 06-31: Veterans Exemption

Voted 5-0 by roll call for passage of Resolution 06-31, (KM – RM).

Resolution 06-31

RESOLUTION

The Town Council of the Town of Lincoln hereby resolves:

WHEREAS, pursuant to RIGL 44-3-4 (a)(1)(v), 44-3-4 (2)(iv),

44-3-4 (5), as amended, and the Town of Lincoln Code of Ordinances, Section 228-5 provides for a tax exemption for veteran resident property owners of the town in an amount not to exceed \$4,000.00 in valuation, and

WHEREAS, it is the intention of the Town Council to raise the current veteran exemption amount to \$10,000.00 in valuation, and

WHEREAS, it is the intention of the Town Council that this exemption increase should be effective for taxes assessed as of December 31, 2006, and

WHEREAS, any amendment of the Town ordinances in respect to the exemption amount for veterans requires the approval by the Rhode Island General Assembly under the provisions of RIGL 44-3-4 (a)(1)(v), 44-3-4 (2)(iv) and 44-3-4 (5) as amended.

NOW THEREFORE, the Lincoln Town Council hereby resolves that the Rhode Island General Assembly is hereby requested, in its January 2007 session to amend RIGL 44-3-4 (a)(1)(v), 44-3-4(a)(iv) and 44-3-4 (5) in order to provide each eligible veteran a tax exemption consistent with the provisions of the ordinance attached hereto as Exhibit A.

Exhibit "A"

§ 228-5. Definition.

A. For the purposes of this article, the following terms shall have the meanings indicated:

VETERANS — Persons who served in the military or naval service of the United States in the Spanish-American War, the insurrection in the Philippines, the China-relief expedition, or World War I, and each person who served in the military or naval service of the United States in World War II at any time during the period beginning December 7, 1941, and ending September 2, 1945, and each person who served in the military or naval services of the United States in the Korean conflict at any time during the period beginning June 27, 1950, and ending July 27, 1953, or in the Vietnam conflict at any time beginning August 4, 1964, and ending May 15, 1975, or who actually served in the Grenada or Lebanon conflicts of 1983 - 1984, and who was honorably discharged therefrom, or who was discharged under conditions other than dishonorable, or who, if not discharged, served honorably.

B. The property of each veteran, as herein-defined or as otherwise designated by Rhode Island General Laws § 44-3-4, who is a resident and citizen of the Town, is exempted from taxation to the amount of Ten Thousand (\$10,000.00) Dollars.

1. Claims Committee Report

b. Francis Silva

Voted 5-0 to deny this claim, (JO – RM).

c. David Dwyer

Voted 5-0 to deny this claim, (JO – RM).

a. Freda Douleh

Voted 5-0 to deny this claim and refer it to the Interlocal Trust, (JO – RM).

2. Ordinance Committee Report

Ordinances

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

Voted 5-0 by roll call to table this Ordinance, (JO – RL).

b. Ordinance 06-14: An Ordinance in Amendment of the Code of Ordinances of the Town Of Lincoln Entitled “Vehicles and Traffic”

Voted 5-0 by roll call for passage of Ordinance 06-14, (KM – RM).

Ordinance 06-14

AN ORDINANCE IN AMENDMENT OF THE CODE OF ORDINANCES OF THE TOWN OF LINCOLN ENTITLED “VEHICLES AND TRAFFIC”

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

Section 1: Section 240 of the Code of Ordinances, Town of Lincoln, Rhode Island entitled “VEHICLES AND TRAFFIC”, is hereby amended as follows:

Section 2: § 240-17 ENTITLED “Violations and penalties; payment of fines by mail.” shall read as follows:

B. All persons charged with a violation may pay such fine by mailing the tag and the amount of such violation, within seven days from such violation, by mail postage prepaid addressed to the Chief of Police, Lincoln Police Department, 100 Old River Road, Lincoln, Rhode Island. Failure to respond within such time limits shall be deemed a waiver of the right to appear and to dispose of such charge without personal appearance in the Lincoln Municipal Court. The payment of the fine in the manner provided in this section shall operate as a final disposition of such charge and such proceedings shall not be deemed to be of a criminal nature. The right to dispose of such a charge without personal appearance in court may not be exercised by any person who in any consecutive period of 12 months next preceding such charge has been three or more times in the same period in the aggregate judged guilty by the Municipal Court or has admitted the truth of the charges made against him of violating §§ 240-10 and 240-11 relating to parking.

Section 3: This Amended Ordinance shall take effect upon passage.

3. School Facilities update

a. Change Order

Voted 5-0 to approve change order number 5 in the amount of \$12,966.00, (KM -JO).

Voted 5-0 to approve changer order at Lincoln Middle School in the amount of \$13,366.00, (KM – RM)

New Business

1. Resolutions

a. Resolution 06-32: Lonsdale Bleachery Redevelopment Committee

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

Voted 5-0 for passage of Resolution 06-32, (KM – JO).

Resolution

06-32

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

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

WHEREAS; The Lincoln Town Council unanimously approved the

redevelopment plan for the Lonsdale Bleachery Complex in September 2005, and

WHEREAS; it is preferable and economical to use existing historical buildings, instead of demolishing them, and

WHEREAS; the Lonsdale Bleachery complex is situated along the scenic Blackstone River and the Blackstone bike path, which makes this a very desirable location for both housing and businesses, and

WHEREAS; the redevelopment plan that was crafted by our own Town Planner has won the Rhode Island Chapter of the American Planning Association award for the outstanding local comprehensive planning project, and

WHEREAS; this plan calls for the property to be used for both housing and businesses that will add to the communal nature of our town, and still reflect the village type environment of the Lonsdale neighborhood, and

WHEREAS; it is the responsibility of the Town Council to take the necessary actions required to move this project forward while taking into consideration what is best for the future of our Town,

NOW THEREFORE BE IT RESOLVED THAT; The Town Council of Lincoln develop an ordinance to enact a redevelopment agency

comprised of a variety of professionals who have expertise in this type of development, to put this plan into action.

2. Ordinance introduction for Referral to Committee

a. Ordinance 06-15: An Ordinance in Amendment and Reenactment of the Code of Ordinances of the Town of Lincoln Chapter 260 Entitled “Zoning”

Voted 5-0 to refer Ordinance 06-15 to the Ordinance Committee, (KM – RM).

b. Ordinance 06-16: An Ordinance Amending the Town of Lincoln Zoning Ordinance to Establish Policy of Inclusionary Zoning for the Expansion of Affordable Housing

Voted 5-0 to refer Ordinance 06-16 to the Ordinance Committee, (JO – RM).

5. Old Orchard Street Redevelopment Project

Communications

a. School

b. Water Department

Voted 5-0 to defer these reports, (RM – JO).

7. Town Administrator Sue P. Sheppard

Voted 5-0 to accept his communication, (KM – RM).

Councilor Comment

Councilor McKenna thanked Councilors Loparto and Robinson for their service to the Town.

Councilor Macksoud wished happy Holidays to our service men and women.

Councilor Robinson thanked her supporters.

Adjourn 8:27 p.m.

Karen D. Allen

Town Clerk