

# **TOWN COUNCIL MEETING**

**November 20, 2007**

## **BOARD OF LICENSE COMMISSIONERS**

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

### **2. Minutes**

**September 18**

**October 16**

**Voted 5-0 to defer to the December meeting, (KM – JJ).**

### **4. Public Hearing**

#### **a. Class BVL License – Fairlawn Café**

**Brenda Beauregard was present and informed the council she is seeking this license in order to expand her business and serve beer and wine during lunch and dinner on Friday.**

**Steven Tetreault spoke in opposition. He is concerned with parking.**

**Richard Pina spoke in opposition.**

**Terry Sowa spoke in favor.**

**Voted 5-0 to continue this public hearing until December meeting, (KM – JF).**

#### **b. Class C License – Albion Social Club**

**Donald Martin was present and explained the club's reason for**

**applying for this license.**

**Voted 5-0 to grant this license, (JJ – KM).**

#### **5. Public Hearing License Renewals**

**Voted 5-0 to grant license renewals to the following Class A License holders pending completion of fire inspections, receipt of all documents and payment of all town taxes, (KM – JJ)**

##### **Class A**

**Phul Spirit Company, Inc. d/b/a Lincoln Spirit Shop 10 Higginson Avenue**

**One Stop Liquors, Inc. 97 Railroad Street, Manville**

**Vanderlay, d/b/a Washington Hill Liquors 616 Washington Highway**

**Richard A. Thibaudeau d/b/a Lincoln Liquors 182 Front Street**

**Voted 5-0 to grant license renewals to the following Class BV License holders pending completion of fire inspections, receipt of all documents and payment of all town taxes, and payment for police details (KM – JJ).**

##### **Class BV**

**1526, Inc. d/b/a Birch Tree Pub 1526 Louisquisset Pike**

**Antonio's Portuguese Cafe and Kitchen, Inc. 793 Smithfield Avenue**

**Asia Restaurants, Inc. d/b/a Asia Grill 622 George Washington Hwy**

**Breakneck Food Corporation d/b/a The Lodge 40 Breakneck Hill Road**

**Pepper Dining, Inc d/b/a Chili's Bar & Grill 622 George Washington Hwy**

**Enrico Caruso Society 105 Bouvier Avenue, Manville**

**Frank's Inc. d/b/a Frank's Family Restaurant 614 Smithfield Avenue**

**Amore Resturante 200 Front Street**

**JJAM, Inc., d/b/a La Cabana Night Club 141 Reservoir Avenue**

**Brooksie's Sports bar of Lincoln d/b/a Brooksies Sports Bar 616  
Smithfield Avenue**

**Kirkbrae Country Club 197 Old River Road**

**Lincoln Country Club, Inc. 31 Dexter Rock Road**

**Magerry, Inc., d/b/a Lou's Cafe 47 Summer Street, Manville**

**Neal's Harmony Cafe, Inc. d/b/a Neal's Harmony Cafe 3 Main Street,  
Manville**

**Pizza Inn at School Street Café, Inc d/b/a School St. Cafe 48 School  
Street, Albion**

**Lucky Chen's Corp. d/b/a Dragon Villa 609 Smithfield Avenue**

**Voted 5-0 to grant license renewals to the following Class BVL  
License holders pending completion of fire inspections, receipt of all  
documents and payment of all town taxes, (KM – JJ).**

**Class BVL**

**C. Dumas, Inc. d/b/a Lil and Gene's Restaurant 29 Winter Street**

**Fairlawn Oil Services, Inc., d/b/a Fairlawn Golf Course 3 Sherman  
Avenue**

**Papa Gino's Corp. 622 George Washington Hwy.**

**Hercules Pizza Works, Inc. 1525 Louisquisset Pike**

**Voted 5-0 to grant license renewals to the following Class BT License holders pending completion of fire inspections, receipt of all documents and payment of all town taxes, (KM – JJ).**

**Class BT**

**Buffalo-Lincoln Associates, LLC d/b/a Marriot Courtyard 636 George Washington Hwy.**

**Voted 5-0 to grant license renewals to the following Class BH License holders pending completion of fire inspections, receipt of all documents and payment of all town taxes, (KM – JJ).**

**Class BH**

**Buffalo-Lincoln Associates, LLC d/b/a Marriot Courtyard 636 George Washington Hwy.**

**Voted 5-0 to grant license renewals to the following Class D License holders pending completion of fire inspections, receipt of all documents and payment of all town taxes, (KM – JJ).**

**Class D - Full**

**Columbus Club of Lincoln                      171 Jenckes Hill Road**

**Manville Sportsmen's Club                      250 High Street, Manville**

**Voted 5-0 to grant license renewals to the following Victualling License holders pending receipt of all documents and payment of all town taxes, (KM – JJ).**

**Victualling License**

**1526, Inc**

**383 Corporation**

**Albion Food Mart**

**Brigido's Front St Market**

**Antonio's Portuguese Café & Kitchen**

**Asia Restaurants, Inc**

**Blackstone P & G, LLC**

**Bread & More Bakery**

**Breakneck Food Corporation**

**Pepper Dining**

**Brooksies Sports Bar & Grill**

**Bucci's Café, LLC**

**Buffalo-Lincoln Associates, LLC**

**C. Dumas, Inc**

**Colbea Enterprises, LLC**

**Columbus Club of Lincoln**

**Compass**

**Coppage Management, Inc**

**Country Store & Deli**

**Crystal Restaurant Management**

**Denis Market, Inc**

**DFG Donuts, Inc**

**DJ Providence Co LLC (McDonalds)**

**Don's Lemonade**

**EDC Pizza, LLC**

**EMW, Inc**

**Enrico Caruso Society**

**Fairlawn Golf Course**

**Franks Restaurant, Inc**

**GB Donuts of Rhode Island, Inc**

**Hartley's Pork Pies of RI**

**Amore Restaurante**

**Hercules Pizzaworks**

**JJAM Sports**

**JonRocLinc, LLC**

**Kirkbrae Country Club**

**Lighthouse Refreshments**

**Lincoln Country Club, Inc**

**Lincoln Mall Donuts, Inc**

**Lucky Chen's Corp**

**Magerry, Inc**

**Mahalaksumi Corp**

**Manville Coffee Shop**

**Manville Palace Pizza**

**Manville Sportsmens Rod & Gun Club**

**Neal's Harmony Café**

**Palagis 2000, Inc**

**Pam's Front Street Grill, Inc**

**Papa Gino's, Inc**

**Pepino's Pizzeria**

**Pizza Inn at School Street Café, LLC**

**Rose Sub, LLC**  
**RR Rondeau, Inc**  
**Shanna's Country Kitchen**  
**Sunoco, Inc (R&M)**  
**Super Stop & Shop**  
**Super Suppers**  
**T & L Creamery, Inc**  
**Target**

**Weiner Genie**  
**Fairlawn Café**  
**Albion Social Club**  
**Torre Corp**

**Pool Table**

**Voted 5-0 to grant license renewals to the following Pool Table License holders pending receipt of all documents and payment of all town taxes, (KM – JJ).**

**1526, Inc**  
**Antonio's Portuguese Café & Kitchen**  
**Columbus Club of Lincoln**  
**Enrico Caruso Society**  
**JJAM Sports**  
**Magerry, Inc**  
**Neal's Harmony Café**

## **Dance**

**Voted 5-0 to grant license renewals to the following Dance License holders pending receipt of all documents and payment of all town taxes, (KM – JJ).**

**1526, Inc**

**JJAM Sports**

**Kirkbrae Country Club**

**Lincoln Country Club**

## **Electronic/Mechanical**

**Voted 5-0 to grant license renewals to the following Electronical/Mechanical License holders pending receipt of all documents and payment of all town taxes, (KM – JJ).**

**1526, Inc**

**Antonio's Portuguese Café & Kitchen**

**Brooksies Sports Bar & Grill**

**CTM Group, Inc**

**Enrico Caruso Society**

**JJAM Sports**

**Magerry, Inc**

**Neal's Harmony Café**

**Entertainment Voted 5-0 to grant license renewals to the following Entertainment License holders pending receipt of all documents and**

**payment of all town taxes, (KM – JJ).**

**1526, Inc**

**Asia Restaurants, Inc**

**Breakneck Food Corporation**

**Brooksies Sports Bar & Grill**

**Enrico Caruso Society**

**JJAM Sports**

**Kirkbrae Country Club**

**Lincoln Country Club, Inc**

**Magerry, Inc**

**Neal's Harmony Café**

**Pizza Inn at School Street Café, LLC**

**Torre, Corp d/b/a/ Trattoria Romana 3 Wake Robin Road**

**Voted 5-0 to renew this BV License and include the expansion of the premise, pending receipt of all documents and payments, (KM – JJ).**

**UTGR, Inc d/b/a Lincoln Park 1600 Louisquisset Pike**

**Voted 3-2 with Councilor O'Grady and Flynn opposed to grant license renewals for Class BV Liquor License, Victualling, Entertainment, Dance, for all venues currently operating, (KM – JJ).**

## **6. Authorize Advertising for Public Hearing**

**a. Transfer from Hercules Pizza Works to Hercules Pizza Works, Inc:**

## **Class BVL**

**b. Vandelay Bulldogs: Class C**

**c. Vandelay Ahi: Class BV**

**Voted 5-0 to authorize advertisement for public hearings on December 18, 2007 at 7:00, (KM – JJ).**

### **7. Application for Class F License**

**a. St Ambrose Church for event on November 24, 2007**

**Voted 5-0 to approve this license, (JJ-KM).**

### **8. Application for Victualling License**

**a. Whistle Stop Restaurant and Ice Cream Shoppe, LLC**

**Voted 5-0 to approve this license, (JJ-KM).**

### **9. Private Detective License Renewals**

**a. Lucien Marcoux**

**b. Lisa Bedard**

**c. Edward Fox**

**Voted 5-0 to approve the private detective license renewals, (KM-JF).**

## **TOWN COUNCIL**

**Call to Order 9:00 p.m.**

### **Consent Agenda**

**Voted 5-0 to accept the consent agenda as amended, (KM-RM). The**

**consent agenda consists of the following items:**

**Consideration of Monthly Bills**

- 1. Accounts Payable – Library: \$24,073.62**
- 2. Accounts Payable – Town: \$590,132.27**
- 3. Direct Pay – Town: \$1,274,787.76**

**Claims for Referral to Committee**

**a. Paul A. Brule**

**Communications**

**1. State Mandated Financial Reports**

**a. Town**

**b. School**

**c. Water Department**

**2. John MacQueen**

**3. RI DEM**

**4. RI DEM**

**5. RI DEM**

**Reports**

**1. Town Administrator**

**Tax Abatements**

**a. \$76,802.27**

**Public Comment**

**James Spooner: Mr Spooner spoke about traffic patterns in the Lonsdale Ave area.**

**Richard Pina: Mr Pina suggested the Town Council should make Mr Spooner a traffic officer.**

## **Minutes**

- 1. September 18 – Regular Meeting**
- 2. October 9 – Special Meeting**
- 3. October 15 – Claims Committee**
- 4. October 15 – Ordinance Committee**
- 5. October 15 – Public Safety**
- 6. October 15 – Work Session**
- 7. October 16 – Purchasing Committee**
- 8. October 16 – Regular Meeting**

**Voted 5-0 to defer approval of the minutes, (KM – RM).**

## **Appointments**

- 1. Sewer Appeals - District 1**

**Voted 5-0 to defer, (RM – KM).**

- 2. Conservation Commission – District 4**

**Voted 5-0 to defer, (JJ-KM).**

- 3. Juvenile Hearing Board – Alternate**

- 4. Juvenile Hearing Board – Alternate**

**Voted 5-0 to defer both appointments to the Juvenile Hearing Board, (KM – RM).**

- 5. Library Board – District 3**

**Voted 5-0 to defer, (KM-JJ).**

## **Unfinished Business**

- 1. Claims Committee Report**

- a. 27 Red Brook Crossing**

**b. Dennis Pierson**

**c. Joseph Goho**

**All claims were deferred in committee.**

## **2. Ordinance Committee Report**

**Ordinances – vote on Ordinances for consideration and/or passage**

### **a. Ordinance 07-14: Maintain sidewalks**

**Voted 4-1 with Councilor Macksoud opposed, for passage to Ordinance 07-14, (KM – JF).**

### **Ordinance 07-14**

**An ordinance requiring the maintenance of all sidewalks in such a state of repair as to allow for safe passage by pedestrians and bicycles**

**Chapter 220 of the Code of the Town of Lincoln entitled “Streets and Sidewalks” is hereby amended by adding the following Article**

### **Article X Duty of Town to Maintain Sidewalks**

**a) All sidewalks within the bounds of the Town of Lincoln shall be kept in repair to be safe for all pedestrian travelers.**

**b) In addition the surface of all sidewalks shall be maintained in such a state of repair as to make them safe for bicycles.**

**b. Ordinance 07-16: Alcoholic Beverages**

**Voted 5-0 for passage of Ordinance 07-16, as amended, (KM –JF).**

**Ordinance 07-16**

**Chapter 70**

**ALCOHOLIC BEVERAGES**

**The Town Council of the Town of Lincoln hereby ordains**

**§ 70-1. Statutory Authority.**

**Pursuant to § 3-7-11 of the Rhode Island General Laws (as amended), the following is herewith adopted.**

**§ 70-2. Authority of Board of Licenses; meetings.**

**A. Authorization for issuance of licenses.**

**(1) Any and all alcoholic beverage licenses, so-called “liquor licenses,” authorized by the General Laws of the State of Rhode Island and Providence Plantations, as amended, and granted by the Town of Lincoln, shall be issued, governed, controlled and regulated by the Town Council, in its capacity as the Board of Licenses (hereinafter referred to as the “Board”), in accordance with the following rules, regulations, policies and procedures.**

**(2) These rules, regulations, policies, and procedures are deemed to be in conjunction with and in addition to the Rhode Island General**

**Laws and the rules and regulations promulgated by the Rhode Island Department of Business Regulation, Liquor Enforcement and Compliance.**

**B. Issuance and revocation. The Board shall have the authority to approve, issue, renew, transfer, suspend or revoke any and all alcoholic beverage licenses under its control within the town and may also from time to time reduce or increase the number of classes of licenses in each category as shall be authorized and empowered by state law.**

**§ 70-3. License class and number.**

**A. The Town of Lincoln, through its Licensing Board, is authorized to issue the following classes of liquor licenses: all Class A, BV, BVL, C, D Limited and D Full, and B-H, and B-T, F and F-1 licenses. The maximum number of alcoholic beverage licenses which may at any time be issued and outstanding within the Town is hereby fixed as follows:**

**Class of License**

**Maximum Number**

**BV 21**

**BVL (Limited) 4**

**C (non-profit only) 2**

**D (Limited and Full) 3**

**F As applied for**

**BH 1**

**NOTES:**

**1. See § 3-5-16 of the Rhode Island General Laws (as amended)**

**§ 70-4. License Restrictions**

**A. The Board shall have the authority to impose reasonable restrictions upon a license, whether newly issued, renewed, transferred or relocated, provided that the restrictions are designed to promote the reasonable control of alcoholic beverages.**

**B. After a hearing, the Licensing Board may impose such other or further conditions upon a license holder or transferee which may be necessary to promote the reasonable control of alcoholic beverages within the Town of Lincoln or to protect the health, safety and welfare of the inhabitants of the community.**

**C. General rules. The Licensing Board of for the Town of Lincoln, in order to promote the reasonable control of alcoholic beverages within the community, hereby enacts the following conditions governing liquor licenses heretofore and hereafter issued, transferred or renewed within the Town of Lincoln. These conditions shall supplement all other applicable local and state laws, regulations, rules and requirements governing liquor licenses:**

**(1) A license must be posted in plain view and shown to any authorized person on demand. In addition, the licensee shall post the name of the manager or person in charge of the licenses premises in plain view with the license at all times.**

**(2) The licensee shall designate the name and home address of two individuals, as representatives of the licensee, who shall be contacted by the Police Department or other safety office within the town in the event of a complaint or other emergency.**

**(3) A telephone and a sufficient number of restroom facilities, accessible to patrons and in good working order, must be maintained by all license holders on the main floor within each licensed establishment.**

**(4) The licensee shall not allow the admittance of any person which would constitute overcrowding within the premises, based upon the seating capacity restrictions for the licensed premises.**

**(5) No alcoholic beverages shall be sold, served or dispensed after the legal closing hour. Pursuant to § 3-7-7 of the Rhode Island General Laws (as amended), the Board establishes the following times for the dispensing of alcoholic beverages:**

**(a) Monday through Sunday from 12:00 noon to 1:00 a.m. [§ 3-7-7 of the Rhode Island General Laws (as amended)].**

**(b) The hours of dispensing and serving alcoholic beverages by holders of Class F licenses shall be governed by §§3-7-14 and 3-7-14.1 of the Rhode Island General Laws (as amended).**

**(7) Consumption of alcoholic beverages is allowed only on the licensed premise and is prohibited in the parking area of the license holder.**

**(8) No patron shall be admitted on the premises after the legal closing hour.**

**(9) All patrons shall leave the licensed premises within one-half (1/2)**

**hour after the legal closing hour.**

**(10) All employees shall leave the licensed premises within one hour after the required closing time. However, the owner and/or general manager or bona fide employee of any establishment may remain on the premises for a period of no longer than two hours after the legal closing house for the purpose of cleanup and maintenance. The owner and/or general manager or bona fide employee may enter to be in an establishment at any time for legitimate business purposes; provided, however, that the owner or general manager must first inform the Lincoln Police Department of his, her or their entering the licensed premises. Management and bona fide employees may not consume, dispense or open alcoholic beverages or beverage containers after the legal closing hour. No employee shall be allowed on the premises for maintenance purposes earlier than two hours before the legal opening, and during this period, there shall be no consumption or dispensing of alcoholic beverages.**

**(11) In all events, no person, other than an owner, manager, authorized employees, police and enforcement personnel shall be admitted to the premises after the required closing time.**

**(12) At all times while the premises are occupied, police and other enforcement officials must be admitted and granted access to the entire licensed premises, including the parking lot and other areas surrounding the building. No entrance-prevention device, such as bolts or other methods, shall be allowed during business hours for the purpose of preventing other patrons or law enforcement officials from freely entering and exiting the premises.**

**(13) No licensee or any agent, servant, employee or representative thereof shall in any way interfere with the official duties or activities of any such police or other enforcement official.**

**(14) The licensed premises associated parking and outside areas and the conduct of patrons, thereon and therein shall be efficiently and affirmatively supervised by the licensee so as to preclude the annoyance or disturbance of the public and persons residing in the surrounding area and to ensure the no patron, agent or employee is engaged in any unlawful activity.**

**(15) Patrons shall not be allowed to consume any alcoholic beverage in the associated parking area or in any areas on the property other than the licensed premises as delineated in accordance with these rules and regulations. In no event shall alcoholic beverages or a container for alcoholic beverages as offered by the license holder to its patrons be permitted to be removed from the interior of the premises of the license holder.**

**(16) All fights, disturbances of any nature, violence or any other violation of the law in the licensed premises or adjacent areas under the control of the licensee shall immediately be reported to the Lincoln Police Department by management or employees. A list of such violations shall be delivered to the Board on a quarterly basis by the Police Department. Copies of police reports on serious repeat offenders shall be delivered to the Board by the Police Department.**

**(17) No loud noises, music, amplified or not, or other nuisance shall be permitted to annoy and disturb nearby residents or persons on adjoining streets or sidewalks.**

**(18) Parking areas and other outside areas associated with and used by the patrons and/or workers of the licensed premises shall be kept clean and free of litter and debris.**

**(19) After hearing, the Board may impose such other or further conditions upon a licensee or transferee which may be necessary to promote the reasonable control of alcohol beverages within the Town of Lincoln or to protect the health, safety and welfare of the inhabitants of the Town.**

**(20) Required training and certification.**

**(a) All management of the licensee and all employees of the licensee shall be required to attend a substance abuse training program prior to commencement of serving alcoholic beverages and every 18 months thereafter. The licensee shall be required to produce proof of attendance at such program to the Police Chief within 60 days of hire. The substance abuse program shall be approved by the Lincoln Substance Abuse Task Force.**

**(b) In addition, all management and employee personnel of all liquor establishments within the town shall have taken and been certified as having completed the alcoholic servers programs administered by appropriate and recognized agencies. Persons currently so certified will continue to be recognized as qualified. Any new employees or license holders shall be required to have completed such course within three months of employment or license award or transfer.**

**§ 70-5. Applicability.**

**Any and all liquor licenses granted and issued by the Board shall be**

**subject to the restrictions set forth in this chapter and other restrictions or conditions that the Board may deem appropriate.**

**§ 70-6. Limitation.**

**All liquor licensees shall be prohibited from operating after the hour of 1:00 a.m.**

**§ 70-7. Evidence of Completion of Training Program Required for License Renewal**

**At the time of renewal or whenever there is a change of license holder of all liquor licenses, the license holder, and all employees of said license holder involved in the dispensing of alcoholic beverages, shall present evidence of completion of a training program, such as TIPS (Training for Intervention Procedures by Servers of Alcohol), TAM (Techniques of Alcohol Management), Serve Safe Program or a similar certified training program as approved by the Lincoln Substance Abuse Prevention Task Force or any other committee or employee of the Town of Lincoln so designated by the Board.**

**§ 70-8. Closing of Establishment, Extension of Time Limit for Certification.**

**Failure of a license holder to provide evidence of completion of such a training program shall result in the establishment being closed until the certificate is provided. An extension of time to allow for certification may be granted by the Board for good cause shown.**

### **§ 70-9. Prior payment of taxes required.**

**Any applicant for, or licenses or holder of, an alcoholic beverage license within the Town must satisfy and pay any and all tax liabilities prior to the granting of a new alcoholic beverage license or the renewal of an existing alcoholic beverage license.**

### **§ 70-10. Violations and Penalties.**

**Notwithstanding any penalties as established by Rhode Island General Laws and in addition to the suspension or revocation of the liquor license as set forth herein, any applicant who violates the provisions of the within rules and regulations and the conditions/restrictions as contained herein may be assessed a penalty in a sum not to exceed \$500 for each violation.**

## **3. Public Safety Committee Report**

### **1. Mulberry Lane**

**Councilor Flynn reports the residents want a stop sign at Mulberry and Sheldon due to high traffic and speeding. The Administrator reports that the Traffic Safety Officer has reported to him and they are assessing the traffic and will make a recommendation.**

### **2. Mount Avenue**

**Councilor O'Grady gave an update. Moving the wall is the first option and is estimated to cost \$50,000.00. A second option is to widen the road on the opposite side. Councilor O'Grady will continue to follow**

**this issue and report back.**

### **3. ROW #17**

**The Town Administrator reports that the Fire Chief and the Police Chief will make a recommendation.**

### **4. Traffic Safety Program**

**Administrator will provide the Council members with copies of the monthly report.**

### **4. Purchasing Committee Report**

**. No bids**

### **5. Capital Improvement Committee Report**

**Councilman McKenna reports the committee is looking for locations for a senior center.**

## **New Business**

### **1. Resolution introduction for referral to Committee**

#### **a. Resolution 07-40: Financial Town Meeting amendment**

**Voted 4-0 , with Councilman McKenna abstaining, to refer resolution 07-40 to committee, (KM – JJ).**

#### **b. Resolution 07-41: Twin River Fire Station**

**Voted 5-0 to suspend the council rules and consider Resolution 07-41 immediately, (KM – JJ).**

**Voted 4-1 with Councilor Jahnz opposed , for passage of Resolution 07-41, (KM-JF).**

**c. Resolution 07-42: Authorizing the Cancellation of Certain Taxes  
Voted 5-0 to suspend the council rules and consider Resolution 07-42  
immediately, (KM-JJ).**

**Voted 5-0 for passage of Resolution 07-42, (KM-JJ).**

**Resolution 07-42**

**RESOLUTION**

**AUTHORIZING THE CANCELLATION OF CERTAIN TAXES**

**WHEREAS, the Town Finance Director recommends that the said  
taxes be cancelled in conformity with R.I.G.L. Section 44-7-14  
Cancellation of Taxes and/or refunded in the amount as respectively  
set forth in the attached report.**

**IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF LINCOLN, RI AS FOLLOWS:**

**Section 1: That the said above described report be incorporated in  
and attached to this resolution and that the said report be made a part  
hereof;**

**Section 2: That the Town Council hereby orders that said taxes be  
cancelled and/or refunded,**

**Section 3. That the Town Clerk of the Town Council shall, upon**

passage of this resolution, forthwith certify to the Town Treasurer and Tax Collector that the taxes specified and itemized in said report have been cancelled and abated in the amounts set forth in the report; and that the Finance Director of the Town of Lincoln is hereby authorized, on the passage of this resolution, to make refunds in the amount or amounts as set forth in this report.

**Section 4. This resolution shall take affect upon passage.**

**Account No. Type of Tax Amount of Tax Reason\_\_\_\_\_**

<b>06-11888-55</b>	<b>Motor Vehicle</b>	<b>\$288.08</b>	<b>Deceased</b>
<b>13-37257-81</b>	<b>Motor Vehicle</b>	<b>\$273.80</b>	<b>Bankruptcy</b>
<b>13-37267-96</b>	<b>Motor Vehicle</b>	<b>\$149.29</b>	<b>Bankruptcy</b>
<b>28-15150-00</b>	<b>Tangible</b>	<b>\$1,871.08</b>	<b>Bankruptcy</b>
<b>01-01781-25</b>	<b>Motor Vehicle</b>	<b>\$69.05</b>	<b>Collection Agency</b>
<b>01-13905-10</b>	<b>“</b>	<b>“ \$12.14</b>	<b>“ “</b>
<b>02-06800-10</b>	<b>“</b>	<b>“ \$89.10</b>	<b>“ “</b>
<b>02-10079-62</b>	<b>“</b>	<b>“ \$97.68</b>	<b>“ “</b>
<b>02-13400-10</b>	<b>“</b>	<b>“ \$281.71</b>	<b>“ “</b>
<b>02-36621-87</b>	<b>“</b>	<b>“ \$304.76</b>	<b>“ “</b>
<b>02-42275-00</b>	<b>“</b>	<b>“ \$10.00</b>	<b>“ “</b>
<b>03-28449-21</b>	<b>“</b>	<b>“ \$10.00</b>	<b>“ “</b>
<b>03-44252-50</b>	<b>“</b>	<b>“ \$10.00</b>	<b>“ “</b>
<b>04-02282-50</b>	<b>“</b>	<b>“ \$43.17</b>	<b>“ “</b>
<b>04-07392-18</b>	<b>“</b>	<b>“ \$61.51</b>	<b>“ “</b>
<b>04-14596-87</b>	<b>“</b>	<b>“ \$78.24</b>	<b>“ “</b>

<b>04-18150-05</b>	“	“	<b>\$118.66</b>	“	“
<b>04-21678-50</b>	“	“	<b>\$577.75</b>	“	“
<b>04-30670-00</b>	“	“	<b>\$10.00</b>	“	“
<b>05-00247-60</b>	“	“	<b>\$738.73</b>	“	“
<b>05-04295-00</b>	“	“	<b>\$170.93</b>	“	“
<b>06-01312-50</b>	“	“	<b>\$46.79</b>	“	“
<b>06-01525-10</b>	“	“	<b>\$7.67</b>	“	“
<b>06-05663-00</b>	“	“	<b>\$16.65</b>	“	“
<b>06-10372-50</b>	“	“	<b>\$94.83</b>	“	“
<b>06-15938-80</b>	“	“	<b>\$216.92</b>	“	“
<b>07-03600-00</b>	“	“	<b>\$83.98</b>	“	“
<b>07-21325-00</b>	“	“	<b>\$10.06</b>	“	“
<b>08-21758-75</b>	“	“	<b>\$44.36</b>	“	“
<b>08-29402-56</b>	“	“	<b>\$63.62</b>	“	“
<b>09-00167-10</b>	“	“	<b>\$11.68</b>	“	“
<b>12-46762-50</b>	“	“	<b>\$182.68</b>	“	“
<b>13-18957-50</b>	“	“	<b>\$28.48</b>	“	“
<b>13-23195-00</b>	“	“	<b>\$157.99</b>	“	“
<b>13-24081-25</b>	“	“	<b>\$27.87</b>	“	“
<b>13-29782-40</b>	“	“	<b>\$147.38</b>	“	“
<b>13-47250-10</b>	“	“	<b>\$10.00</b>	“	“
<b>13-53530-10</b>	“	“	<b>\$307.71</b>	“	“
<b>14-01197-65</b>	“	“	<b>\$122.41</b>	“	“
<b>15-01397-50</b>	“	“	<b>\$9.20</b>	“	“
<b>16-17379-68</b>	“	“	<b>\$11.04</b>	“	“
<b>16-30200-00</b>	“	“	<b>\$1245.09</b>	“	“

<b>18-07625-10</b>	<b>“</b>	<b>“</b>	<b>\$150.57</b>	<b>“</b>	<b>“</b>
<b>18-08015-05</b>	<b>“</b>	<b>“</b>	<b>\$131.87</b>	<b>“</b>	<b>“</b>
<b>18-10575-10</b>	<b>“</b>	<b>“</b>	<b>\$169.38</b>	<b>“</b>	<b>“</b>
<b>18-23430-00</b>	<b>“</b>	<b>“</b>	<b>\$641.69</b>	<b>“</b>	<b>“</b>
<b>18-27446-37</b>	<b>“</b>	<b>“</b>	<b>\$621.10</b>	<b>“</b>	<b>“</b>
<b>19-06379-68</b>	<b>“</b>	<b>“</b>	<b>\$10.00</b>	<b>“</b>	<b>“</b>
<b>19-11767-50</b>	<b>“</b>	<b>“</b>	<b>\$10.00</b>	<b>“</b>	<b>“</b>
<b>19-18915-00</b>	<b>“</b>	<b>“</b>	<b>\$39.61</b>	<b>“</b>	<b>“</b>
<b>19-36275-00</b>	<b>“</b>	<b>“</b>	<b>\$63.98</b>	<b>“</b>	<b>“</b>
<b>23-05200-00</b>	<b>“</b>	<b>“</b>	<b>\$48.11</b>	<b>“</b>	<b>“</b>
<b>28-15150-00</b>	<b>“</b>	<b>“</b>	<b>\$1871.08</b>	<b>“</b>	<b>“</b>

**Total     \$11,879.45**

**d. Resolution 07-43: Traffic Study**

**Voted 5-0 to suspend the council rules and consider Resolution 07-43 immediately, (KM-JJ).**

**Voted 5-0 for passage of Resolution 07-43, (KM-JJ).**

**Resolution 07-43**

**RESOLUTION OF THE LINCOLN TOWN COUNCIL**

**WHEREAS; The intersection of RI RTE 246 (Old Louisquisset Pike)**

**and Twin River Rd. has been modified and changed in order to accommodate the increase in traffic to Twin River Casino, and**

**WHEREAS; These modifications have included a widening of the intersection and the installation of “Left Turn Only” lanes with designated left turn signals, and**

**WHEREAS; There are two (2) left turn lanes for traffic that is traveling in the Northern direction on RTE 246 (Old Louisquisset Pike), which necessitates that those drivers who wish to continue North, must enter the extreme right lane, and**

**WHEREAS; Once in this right hand lane the driver continuing North through the traffic signal must immediately merge to the left so as not to drive directly into private property creating dangerous conditions, and**

**WHEREAS; There is very little notice of the need to be into the correct lanes at this intersection, creating confusion and dangerous conditions for North and South bound traffic at this intersection, and**

**WHEREAS; It appears that with a majority of North bound traffic using the South entrance to Twin River, that there is minimal value to have two (2) left turn lanes for this traffic at the intersection of RTE 246 (Old Louisquisset Pike) and Twin River Rd.**

**NOW THEREFORE BE IT RESOLVED, that the Town Council of Lincoln requests that the Rhode Island Department of Transportation perform a traffic study at the intersection of RI RTE 246 (Old Louisquisset Pike) and Twin River Rd., and specifically address the need for two (2) designated “Left Turn Only” lanes, and that the Town Clerk of Lincoln forward a copy of this resolution to the General Assembly delegation from the described area, and to the Director of the Department of Transportation.**

**e. Resolution 07-44: Opposition to Expansion at Twin River**

**Voted 5-0 to suspend the council rules and consider Resolution 07-44 immediately, (KM-JJ).**

**Voted 5-0 for passage of Resolution 07-44, (KM-JJ).**

**Resolution 07-44**

## **RESOLUTION OF THE LINCOLN TOWN COUNCIL**

**WHEREAS; Members of the Rhode Island General Assembly have been and are considering expanding the hours of operation of Twin River to allow it to stay open twenty four (24) hours a day, seven (7) days a week, and**

**WHEREAS; This same body is also considering to allow different types of gambling other than the standard video lottery terminals that are in use now, such as video blackjack to be allowed at Twin River, and**

**WHEREAS; An expansion of the hours of operation and/or an expansion of the types of gambling allowed at Twin River will have an effect on both the immediate neighborhood surrounding this facility, as well as the entire Town of Lincoln, and**

**WHEREAS; The citizens of the Town of Lincoln, in previous elections, have voted consistently against the establishment and expansion of gambling both in the Town of Lincoln and the State of Rhode Island, and**

**WHEREAS; The Town of Lincoln held a special election on November 10, 2007 in which over 19% of the populace voiced their opinion and resoundingly said “no” to both the increase in hours of operation and allowing Twin River to become a full fledged casino, and**

**WHEREAS; The voters of the Town of Lincoln, who voted at the Lincoln Middle School on this same date, who would be most affected by these changes, defeated these two questions by a margin of greater than 66%, and**

**WHEREAS; Governor Carcieri has stated that he would oppose such expansion if it were not supported by the Town of Lincoln,**

**NOW THEREFORE BE IT RESOLVED that the Town Council of Lincoln stands opposed to any increase in the hours of operation of Twin River, and opposed to any increase in the types of gambling that is**

**allowed at Twin River, and be it**

**FURTHER RESOLVED that a copy of this resolution be sent to the General Assembly delegation from the Town of Lincoln and to the Governor of the State of Rhode Island so that they can voice their opposition to the expansion of hours and types of gambling allowed at Twin River, and be it**

**FURTHER RESOLVED that a copy of this resolution be sent to all the cities and town in the State of Rhode Island and that they be urged to join in opposing the expansion of hours and types of gambling allowed at Twin River and that they communicate their opposition to Governor Carcieri and their delegates to the General Assembly.**

**f. Resolution 07-45: Frank Sylvester**

**Voted 5-0 to suspend the council rules and consider Resolution 07-45 immediately, (JJ-KM).**

**Voted 5-0 for passage of Resolution 07-45, (JJ-KM).**

**Resolution 07-45**

**Resolution of the Lincoln Town Council**

**Whereas: Lime Rock Fire Chief Frank M. Sylvester has been appointed State Fire Marshal by the Governor of the State of Rhode Island;**

**And Whereas: This appointment was given the unanimous advice and consent of the Senate of the State of Rhode Island;**

**And Whereas: Chief Sylvester has served the community of Lime Rock with honor and distinction for twenty years as Fire Chief of the Lime Rock Fire District;**

**And Whereas: Prior to serving in Lime Rock, Chief Sylvester served in the Pawtucket Fire Department for twenty years, retiring as Lieutenant.**

**And Whereas: In addition to his four decades in the fire service, Chief Sylvester proudly served his country in the United States Army and the United States Coast Guard Reserve;**

**Therefore, be it Resolved: That the Lincoln Town Council hereby honors Lime Rock Fire Chief Frank M. Sylvester for his appointment to the post of State Fire Marshal. We congratulate him for this honor and wish to convey our pride in the naming of Chief Sylvester to this distinguished position. Foremost, we thank him for his service to our town over the past twenty years.**

**g. Resolution 07-46: Tax Abatements**

**Voted 5-0 to suspend the council rules and consider Resolution 07-46**

**immediately, (KM-JJ).**

**Voted 5-0 for passage of Resolution 07-46, (KM-JJ).**

**Resolution 07-46**

**RESOLUTION**

**AUTHORIZING THE CANCELLATION OF CERTAIN TAXES**

**WHEREAS, R.I. General Law §9-1-13 limits collection actions to a maximum period of ten (10) years and;**

**WHEREAS, certain motor vehicle and tangible property tax accounts as included in the attached report and in the total amounts of \$60,208.07 and \$68,799.58 respectively are over the statute of limitation and;**

**WHEREAS, a reserve has already been taken for the write-off of these uncollectible taxes, now:**

**IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LINCOLN, RI AS FOLLOWS:**

**Section 1: That the said above described report be incorporated in and attached to this resolution and that the said report be made a part hereof;**

**Section 2: That the Town Council hereby orders that said taxes be cancelled and/or refunded,**

**Section 3. That the Town Clerk of the Town Council shall, upon passage of this resolution, forthwith certify to the Town Treasurer and Tax Collector that the taxes specified and itemized in said report have been cancelled and abated in the amounts set forth in the report.**

**Section 4. This resolution shall take affect upon passage.**

**5. Solid Waste & Recycling Services Agreement**

**Voted 5-0 to ratify the agreement for Solid Waste and Recycling Services, (KM-RM).**

**Communications**

**6. Town of Lincoln Police Department**

**Voted 5-0 to accept this communication, (JJ-RM/KM).**

**7. Jim Spooner**

**8. Jim Spooner**

**9. Jim Spooner**

**Voted 5-0 to accept the communications from Mr. Spooner, (RM-KM).**

**Adjourn 10:45 p.m.**

**Karen D. Allen**

**Town Clerk**