

TOWN COUNCIL MEETING

March 20, 2007

BOARD OF LICENSE COMMISSIONERS

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

2. Pledge of Allegiance

3. Minutes

January 16

February 13

Voted 5-0 to approve the January 16 and February 13 minutes, (KM – JF).

4. Application for Victualling License

a. Amore, Inc 200 Front Street

Voted 5-0 to grant a victualling license to Amore, Inc. pending receipt of all documents, (KM – JJ).

b. Sergeant C's Ice Cream 390 Old River Road

Voted 5-0 to grant a victualling license to Sergeant C's pending receipt of all documents, (KM – JJ).

5. Authorize Advertising for Class BV Liquor License Transfer

a. Hein's Family Restaurant to Amore, Inc., 200 Front Street

Voted 5-0 to authorize advertisement for a public hearing for a liquor license transfer on April 16, 2007 at 6:00 p.m., (KM – RM).

6. Authorize Advertisement for new Class BV Liquor License

a. Frank's Restaurant 614 Smithfield Ave

Voted 5-0 to authorize advertisement for a public hearing for a Class BV License on April 16, 2007 at 6:15 p.m., (KM – JJ).

7. Application for Class F License

a. Church of St. Basil the Great April 21, 2007

Voted 5-0 to grant a Class F License to St. Basil the Great Church for an event on April 21, 2007, (KM – JJ).

b. Church of St. Basil the Great June 9, 2007

Voted 5-0 to grant a Class F License to St. Basil the Great Church for an event on June 9, 2007, (KM – JJ).

8. Fairlawn Café License discussion

The members of the Council discussed with the licensee, Brenda Beauregard, their concerns about her operating a BYOB establishment. Councilor Macksoud asked how she handles underage drinking. She answered she is Bar Code certified and that usually her friends are her customers. The Council also expressed concern over liability issues.

9. BYOB Regulations discussion and/or action

The Council discussed their concern that BYOB is not regulated in any way by the state or the Town. The Council asked the Solicitor to create an ordinance which prohibits BYOB in Lincoln. Solicitor DeSisto stated the Council could also regulate the victualling license using RIGL 5-24-4 which states the license holder needs to maintain an orderly house.

10. Communication

a. Lincoln Police Department

Voted 5-0 to hold a show cause hearing for LaCabana on April 16 at 5:00, (RM – KM).

Voted to allow the Town Solicitor to issue subpoenas for the show cause hearing, (KM – JJ).

11. Application for Solicitors' Permit

a. NES Home Center

Voted 5-0 to defer this application, (KM – JJ). The applicant was not present.

TOWN COUNCIL

Call to Order 7:30 p.m.

Lonsdale Park upgrade proposal, Presentation by Town Administrator

Town Administrator T. Joseph Almond made a presentation on the renovation project scheduled for Lonsdale Park and Manville Park. The Lonsdale project will include the addition of seventy off street parking spaces, controlled lighting on the upgraded baseball field, and two new playgrounds one for small children which will be near the baseball field and another for older children. The use of the Park space will not be increased, but the facility will be improved. There will also be an ADA compliant bathroom facility, and concession stand as well as bleachers. The Manville project will see the addition of a baseball field, and upgraded bathroom facilities.

The floor was opened to public comment on these plans.

Russ Gigilio lives near the Lonsdale field and is concerned about safety and lighting.

Maurice Paquet of 294 River Road handed the council members a list of concerns, most of which related to safety and traffic issues. He stated he is not opposed to the improvements. The Town Administrator addressed his concerns.

Mrs. Benoit of 218 River Road is also concerned with the lighting. The Administrator assured her they would be on only when the field is in use and only until 9:30 p.m.

Lou Lonardo stated he approves of the plans, but is also concerned with safety.

Michelle Dexter of 8 Holiday Drive approves of the upgrades but is

concerned about her privacy.

Kevin Bryson, Chairman of the Parks and Recreation Commission stated that the Commission unanimously supports these renovations and appreciates the tremendous amount of thought that was put into this plan.

Jeanette Benoit asked if the Town could put up a fence around her property to protect her horses.

John Sharkey, President of Lincoln Little League, stated the league will abide by the 9:30 times and feels the additional parking spaces will greatly improve safety. He also stated he would coordinate with Lonsdale Elementary to find out when they have school functions scheduled at night. He appreciated the Councils civility.

Finish

Voted 5-0 by roll call to endorse the Town Administrators plan for Lonsdale Park, and consider neighbors concerns voiced during conversations this evening, and allow the Town Administrator to go out for bid on this project, (RM – KM/JJ).

Consent Agenda

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

Minutes

1. January 16 – Ordinance Committee

- 2. January 16 – Claims Committee**
- 3. January 25 – Special meeting**
- 4. January 30 – Special Meeting**
- 5. January 30 – Executive Session**
- 6. February 6 – Special Meeting**
- 7. February 6 – Public Safety Committee**
- 8. February 6 – Ordinance Committee**
- 9. February 12 – Claims Committee**
- 10. February 13 – Regular Meeting**
- 11. February 15 – Special meeting**
- 12. February 15 – Executive Session**
- 13. March 1 – Special meeting**
- 14. March 12 – Special meeting**
- 15. March 12 – Ordinance committee**

Consideration of Monthly Bills

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

Communications

- 1. State Mandated Financial Reports**
 - a. Town**
 - b. School**
 - c. Water Department**
- 2. City of Pawtucket**
- 3. Town of Barrington**
- 4. Town of Burrillville**

- 5. Town of Westerly**
- 6. Town of Middletown**
- 7. Town of South Kingstown**
- 8. Richard Pina**

Tax Abatements

- a. \$23,667.53**

Public Hearing

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

The floor was opened to the public.

Mike Ferry stated he supported this zone change and hopes the Council votes tonight.

Public Comment was closed.

Voted 5-0 to continue this public Hearing until the regular April meeting, (KM – JF). The Council wants time to consider comments on the portion of the amendment regarding inclusionary zoning.

Public Comment

Roxanne Riviera from the Justice for Janitors campaign stated she is concerned with low wages for this industry and feels they provide an important service.

Appointments

1. Tenant Board – District 4

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

2. Conservation Commission – District 1

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

3. Conservation Commission – District 3

Voted 5-0 to re-appoint Anthony Perotti, (KM – JJ).

4. Assistant Solicitors

Voted 5-0 to appoint Mark Krieger, (KM – RM/JJ). The Council will consider another Assistant Solicitor in addition to Mr. Krieger at next months meeting.

5. Sewer Appeals - District 1

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

6. Planning Board – District 1

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

Voted 5-0 to reconsider the vote taken on the consent agenda and remove the claim for referral to committee, (RM – KM).

Voted to accept the consent agenda as amended, (RM – KM).

G. Unfinished Business

1. Claims Committee Report

a. Richard P. Brederson, Esq. for Chrissy L. Nadeau

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

2. Ordinance Committee Report

Ordinances – vote on Ordinances for consideration and/or passage

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

It was reported that this ordinance is deferred in committee.

b. Ordinance 07-01: An Ordinance in Amendment of the Code of Ordinances of the Town of Lincoln Entitled “Boards and Commissions”

It was reported that this ordinance is deferred in committee.

c. Ordinance 07-02: Mailbox replacement policy

Voted 5-0 by roll call for passage as amended of Ordinance 07-02, (KM – RM)

Ordinance 07-02 a

AN ORDINANCE IN AMENDMENT TO THE STREETS AND SIDEWALKS ORDINANCE OF THE TOWN OF LINCOLN`

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

Section 1. Article VIII of the Town of Lincoln Code of Ordinances in Chapter 220 entitled “Streets and Sidewalks” is hereby created by

adding thereto the following sections:

ARTICLE VIII. DAMAGE TO MAILBOXES

Sec. 220-30. Legislative Finding. The Town Council finds a legitimate interest in providing property owners with compensation for the cost of replacement of mailboxes damaged by Town owned or Town employed vehicles and hereby adopts a uniform procedure for application for reimbursement.

Sec. 220-31 Procedure:

1. Applicants for reimbursement for mailbox damage pursuant to this Section shall file a report with the Department of Public Works which shall verify the claim. The Director of Public Works, in his/her sole discretion shall be authorized to reject any claims. In the event that the Director of Public Works shall deny a claim, the applicant may file an appeal of the denial to the Claims Committee of the Town Council.

Sec. 220-32 Damages:

1. Mailboxes damaged by Town owned or Town employed vehicles, regardless of type, shall be reimbursed up to \$50 in full and final settlement of any and all claims against the Town,

Section 2.

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

Resolutions – vote on Resolutions for consideration and/or passage

- a. Resolution 07-01: Rules of the Council**
- b. Resolution 07-04: Curb Removal**
- c. Resolution 07-05: Curb Replacement Program, 10 year plan**
- d. Resolution 07-06: Increase to Curb Replacement Budget**
- e. Resolution 07-07: River Road Sidewalk Repair**

It was reported that all these Resolutions are deferred in committee.

3. Public Safety Committee Report

Councilor Flynn gave the committee report. He reported that the committee is looking into a problem on Mount Avenue, which the Administrator is working on. The Administrator is also starting a Traffic Enforcement Program to address neighborhood concerns.

4. Purchasing Committee Report

Bids

- a. Preservation and Conservation Plan, Valentine Whitman Jr. House**
- b. 42 inch Digital Plotter**

5. School Facilities Update / Change Order #14

Voted 5-0 to table, (RM – KM).

H. New Business

1. Resolutions introduction for Referral to Committee

a. Resolution 07-08: Approve Lonsdale Bleachery

Redevelopment Plan

Voted 5-0 to dispense with the Council rules and consider this Resolution immediately,

(KM – JF).

Voted 5-0 to approve Resolution 07-08, (KM – JF).

Resolution 07-08

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES:

WHEREAS; The Lincoln Town Council unanimously accepted 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 formally approve the Lonsdale Bleachery Redevelopment Plan as presented.

b. Resolution 07-10: Training /Seminar Budget

Voted 5-0 to dispense with the Council rules and consider this resolution immediately,

(RM – KM).

Voted 5-0 for passage of Resolution 07-10, (RM – KM).

Resolution 07-10

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES:

WHEREAS; The Lincoln Town Council is called upon to make decisions in complex policy areas including, but not limited to: land use planning, economic development, taxation, public works, and fiscal management, and;

WHEREAS; it is unlikely that each Council member will have individual expertise in each policy area or question that they are called to act within or upon, and;

WHEREAS; the Town Council endeavors, both collectively and as individual members, to apply informed decision-making to questions

and issues before it, and;

WHEREAS; many training seminars covering pertinent policy areas are available locally for Council members to avail themselves of;

NOW THEREFORE BE IT RESOLVED THAT; The Town Council of Lincoln formally requests that the Lincoln Budget Board include a Training / Seminar line-item to the FY2007-2008 Town Council budget and allocate to that line-item the sum of \$6,000.

c. Resolution 07-11: Janitor Support

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

Voted 3-2, by roll call (Councilors McKenna and Macksoud were opposed) for passage of Resolution 07-11, (JJ – JF).

Resolution 07-11

Resolution of the Town Council

Town of Lincoln, Rhode Island

WHEREAS: Contracted janitors who clean commercial office

**buildings in Lincoln are diligent and hardworking men and women;
and**

WHEREAS: Many of these contracted janitors work for wages and benefits that keep them below the poverty level; and

WHEREAS: Many of these contracted janitors do not earn enough to afford healthy food, decent housing, health care, a college education, or the chance for a better life; and

WHEREAS: Janitorial contracting services are part of a volatile industry in which contracted janitors lose their jobs with little or no notice; and

WHEREAS: Many of these contracted janitors have begun to organize for wages and benefits that will support them and their families and not require that they work two and three jobs to make ends meet; and

WHEREAS: All contracted janitors should be free to join with their co-workers to organize and better their working and living conditions without threats or intimidations; therefore be it

RESOLVED: That the Lincoln Town Council urges all cleaning contractors who do business in Lincoln to pay their employees a living wage, to provide decent health benefits, and to allow their workers to have a voice on the job; be it further

RESOLVED: That the Lincoln Town Council urges building owners in Lincoln to ensure that contractors who clean their buildings pay their employees a living wage, provide decent health benefits, and allow their workers to have a voice on the job; be it further

RESOLVED: The Lincoln Town Council joins with numerous religious, civic, and labor organizations in expressing their support for the dozens of Lincoln janitors who are struggling to improve their working conditions and provide their families with a living wage, decent health benefits, and a voice on the job.

d. Resolution 07-12: Curb Replacement

Voted 5-0 to refer this resolution to the ordinance committee, (JF – RM).

Claims for Referral to Committee

a. Diane Good

Voted 5-0 to refer this claim to the Claims Committee, (RM – KM).

2. Ordinance introduction for Referral to Committee

a. Ordinance 07-03: Total Disabled Tax Exemption

Voted 5-0 to refer this ordinance 07-03 to the ordinance committee, (

4. Release of Bond AP 14 Lot 90

Acceptance of Christian Court

Voted 5-0 to release the bond on AP 14 Lot 90 and accept Christian Court to the Towns Mapped Street Ordinance, (KM – JJ).

5. Council Meeting times: discussion and/or action

Discussed the possibility of having meetings two times per month. At this time meetings will remain on the third Tuesday only.

Communications

9. Judy Hadley

10. Terry Gorman

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

Reports

1. Town Administrator

Voted 5-0 to accept the Administrator reports, (KM – JJ). Councilor Macksoud wanted to provide the council with an update on the meetings.

Adjourn 10:35 p.m.

Karen D. Allen

Town Clerk