



## TOWN COUNCIL MEETING

October, 20, 2009 at 7:00 PM

Lincoln Town Hall

### AGENDA

#### **I. BOARD OF LICENSE COMMISSIONERS**

##### **1. Call to Order**

7:00 PM Meeting called to order on October 20, 2009 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

<b>Attendee Name</b>	<b>Present</b>	<b>Absent</b>	<b>Late</b>	<b>Arrival</b>
Council Vice President James Jahnz	..	..	..	
Councilman John Flynn	..	..	..	
Councilman Keith Macksoud	..	..	..	
Council President Ronald McKenna	..	..	..	
Councilman Arthur Russo	..	..	..	

##### **2. Pledge of Allegiance**

##### **3. Presentations**

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

**a. License 2009-46**  
Application for Class F License

**b. License 2009-47**  
Application for Class F St. Basil

**c. License 2009-48**  
Application for Class F St. Basil

##### **5. Application for Special Event**

**1. License 2009-49**  
Application for Special Events Twin River

**II. TOWN COUNCIL****A. Call to Order****B. Consent Agenda**

All items listed in this section are considered in one motion. There will be no separate discussion of these items unless a Councilor so requests, in which event the item will be removed from the consent agenda.

- 1. Minutes Approval**
- 2. Consideration of Monthly Bills**
- 3. Communications**

**1. State Mandated Financial Reports**

- 2. Communication 2009-99**  
Communication from Town of Gloucester
- 3. Communication 2009-101**  
Communication from Attorney Joseph Capineri

**4. Reports****1. Town Administrator**

- a. Communication 2009-102**  
Monthly Report--Tax Assessor--September, 2009
- b. Report 2009-63**  
Monthly Report: Human Services
- c. Communication 2009-103**  
September Monthly Report - Planning Department
- d. Report 2009-64**  
Monthly Report: Town Clerk
- e. Report 2009-65**  
Monthly Report: Library
- f. Communication 2009-104**

Monthly Report Parks and Recreation September 2009

- g. Report 2009-66**  
Monthly Report: DPW
- h. Communication 2009-105**  
Monthly Report-Personnel
- i. Report 2009-67**  
Monthly Activity Report: Public Safety

**5. Tax Abatements**

- 1. Report 2009-62**  
October 2009 Abatements

**C. Public Comment**

**D. Appointments**

- 1. Appointment 2009-11**  
Land Trust District 1

HISTORY:

03-17-09	Town Council	DEFERRED	Next: 04-21-09
04-21-09	Town Council	DEFERRED	Next: 05-19-09
05-19-09	Town Council	DEFERRED	Next: 06-16-09
06-16-09	Town Council	DEFERRED	Next: 07-21-09
07-21-09	Town Council	DEFERRED	Next: 08-18-09
08-18-09	Town Council	DEFERRED	Next: 09-15-09
09-15-09	Town Council	DEFERRED	Next: 10-20-09

- 2. Appointment 2009-24**  
Appointment Conservation Commission District 1

HISTORY:

09-15-09	Town Council	DEFERRED	Next: 10-20-09
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- 3. Appointment 2009-25**  
Appointment Zoning Board District 2

**E. Unfinished Business**

**1. Ordinance Committee Report**

**a. Resolution 2009-43**

Leasing of Lonsdale LL Field

**HISTORY:**

08-18-09	Town Council	REFERRED TO COMMITTEE	Next: 09-15-09
09-15-09	Town Council	DEFERRED	Next: 10-20-09

**b. Ordinance 2009-14**

Wind Turbines

This is a proposed Amendment to the Zoning Ordinance to allow for Wind Turbines by Special Permit in Commercial and Manufacturing Zones.

**HISTORY:**

09-15-09	Town Council	REFERRED TO COMMITTEE	Next: 10-20-09
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**c. Ordinance 2009-15**

Amendment to Zoning Ordinance, Re: Signs

**HISTORY:**

09-15-09	Town Council	REFERRED TO COMMITTEE	Next: 10-20-09
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**2. Purchasing Committee Report**

**a. Resolution 2009-52**

Bid: Highway Garage Waste Oil Storage Tank

**3. Capital Improvement Committee Report**

**F. New Business**

**1. Resolutions for Introduction for Referral to Committee**

**a. Resolution 2009-50**

Opposition to Binding Arbitration for Teacher Contracts

**b. Resolution 2009-51**

Reinstate 4Th Quarter Vehicle Excise Tax Paymetn

**2. Ordinance for Referral to Committee**

**a. Ordinance 2009-16**

Income and Age Based Senior Property Tax Exemption

This amendment to 228-1 will continue the \$600 exemption for Senior Citizens.  
It adds increased exemptions for Seniors who meet the age and income requirements.

***G. Adjourn***



**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

Meeting: 10-20-09 07:00 PM

Department: Town Clerk

Category: External

Prepared By: Karen Allen

Initiator: Karen Allen

Sponsors: Council President Ronald McKenna

DOC ID: 1670

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**COMMUNICATION 2009-99**

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**Communication from Town of Gloucester**

Town of Gloucester



**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

Meeting: 10-20-09 07:00 PM

Department: Town Clerk

Category: Internal

Prepared By: Karen Allen

Initiator: Karen Allen

Sponsors: Council President Ronald McKenna

DOC ID: 1668

**SCHEDULED**

**COMMUNICATION 2009-101**

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**Communication from Attorney Joseph Capineri**

Request for public hearing on zoning stipulations.



**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

Meeting: 10-20-09 07:00 PM

Department: Tax Assessor

Category: Internal

Prepared By: Elaine Mondillo

Initiator: Elaine Mondillo

Sponsors: Administrator T. Joseph Almond

DOC ID: 1665

**COMMUNICATION 2009-102**

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**Monthly Report--Tax Assessor--September, 2009**



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### REPORT 2009-63

## Monthly Report: Human Services

### Lincoln Senior Center

Total Meals Served 444  
Total Participants 60  
Total New Participants

### Manville Meal Site

Total Meals Served 194  
Total Participants 24  
Total New Participants

### Transportation/Participants

Town Shopping 5 participants 10 times  
Center Shopping 5 participants 10 times  
To Activities 19 participants 60 times  
To Center 36 participants 569 times

### Weekly Activities/Total Participants

Bingo 20 participants  
Computer Classes 6 participants  
Cribbage 21 participants  
Mighty Muscles Tuesday 16 participants  
Mighty Muscles Thursday 23 participants  
Blood Pressure 18 participants  
Ukulele 25 participants  
High Low Jack 15 participants  
Tai Chi 8 participants  
Line Dance 4 participants  
Art Class Monday 18 participants  
Art Class Wednesday 19 participants  
Friday Card players 17 participants  
Insight 11 participants  
Friday Knitting 3 participants  
Yoga 14 participants  
Movement for Wellness 15 participants  
Personal Training 12 participants  
Alzheimer's Support Group 1 participant

### Other Trips and Activities/Participants

<b>September 1st</b>	<b>Shingles Clinic 55 participants</b>
<b>September 11th</b>	<b>Center for Preventive Medicine 15 participants</b>
<b>September 15th</b>	<b>AARP Safe Driver 12 participants</b>
<b>September 17th</b>	<b>Newport Playhouse 39 participants</b>
<b>September 22nd</b>	<b>Foxwoods 30 participants</b>
<b>September 25th</b>	<b>Senior Wellness 16 participants</b>

Submitted by: Administrator T. Joseph Almond



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

Meeting: 10-20-09 07:00 PM

Department: Town Planner

Category: Internal

Prepared By: Albert Ranaldi

Initiator: Albert Ranaldi

Sponsors: Administrator T. Joseph Almond

DOC ID: 1664

### COMMUNICATION 2009-103

## September Monthly Report - Planning Department

### Monthly Report - Office of the Town Planner September, 2009

**Submitted by: Albert V. Ranaldi Jr. - Town Planner**

Below are brief descriptions of current projects and activities that the Planning Department was involved in during the month of September, 2009. If you would like a more detailed explanation of a particular project, please feel free to contact me.

#### Community Planning Projects

- **Lonsdale Bleachery Redevelopment Plan:**

Project Description: During the month of August, the Town Council voted to approve the legislation creating a redevelopment agency. The Town Council appointed seven members to the newly created Lincoln Redevelopment Agency (LRA). The newly selected LRA held their first meeting on December 11, 2007. Due to the national economic downturn, interest from private developers and public tax credit support for this project ended. On November 18, 2008, the members voted to suspend meetings due to the financial conditions of the State and Nation. In January 2009, the Planning Department submitted the environmental research phase of this project to the EPA and RIDEM for funding. The project was also submitted to the State's call for projects to be submitted to the Federal economic stimulus program.

Monthly Progress Update: The LRA met on August 11, 2009 to discuss RIDEM funding for a Phase 1 environmental study. The members discussed ways they would approach property owners to present the requirements of the study. The next meeting to discuss progress is scheduled for the third week in October.

- **Capital Development Committee**

Project Description: This committee was formed by the Town Administrator in order to develop a Capital Improvement Plan/Program. This new plan is based on the current 2006/2007 Work Plan. This committee has representation from both the municipal group and the school group. During the May 2008 Town Council meeting, the CIP was endorsed by the full Council. Several projects were given the approval to move forward. The largest project that was selected to move forward was the design and construction of a new Senior Center. In January 2009, the Robinson Design Company was selected as the A&E team. The sub-committee met each Thursday afternoon to provide input into the proposed floor plans. During the month of June, the sub-committee reviewed 17 submitted contractor qualification packages. Seven contractors were chosen to submit bids. The architectural team continued with the design of the building.

The architect issued the plans and specifications to the selected contractors in July. A pre-bid meeting was held as well as a site visit. The General Contractor's bids were received by the Town on August 20, 2009. Six bids in total were submitted. The Senior Center sub-committee met after the bids was opened to discuss the results.

Monthly Progress Update: During the month of September, the Senior Center sub-committee decided that the original bids were not within our set budget. The committee decided to eliminate certain items and re-bid the project with the three lowest bidders. The re-bids came in at the end of the month. The lowest bid was within our budget and the committee voted to accept the bid by Advanced Building Concepts.

- **Renovations to Manville Park**

Project Description: The CDC also approved the renovations to Manville Park to proceed forward. In November, a landscape architectural team was selected and work began to collect data on the site. The landscape architectural team submitted a 10% design plan to the Town for review. The Town Council also set up an advisory committee to work with the Town on the renovations. A kick off meeting with the advisory committee was held during the last week in February. Over the next several months, the design team worked with the Director of Parks and Recreation and me in the development of the plans. On July 28, 2009, we held a public meeting in Manville to present the plans to the public. Comments were received and incorporated into the plans. During the month of August, the Town met several times in the office and out at the site to further refine the plans.

Monthly Progress Update: The next phase of the project is scheduled to be submitted to the Town in September. The Town received 70% design plans at the end of the month.

## **PLANNING BOARD**

- **September Meeting:** Prepared the Technical Review Committee report for the August Planning Board meeting. The Planning Department provided members with supporting research and profession review of each application presented before the Board. Attended the September Planning Board meeting.

## **MISC. ADMINISTRATIVE ACTIVITIES**

- Attended staff meetings and director meetings as needed
- Address all Town resident questions in regards to community planning and subdivision procedures.



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### REPORT 2009-64

## Monthly Report: Town Clerk

### Monthly Distribution of Funds

<u>Transaction Type</u>	<u>Earned</u>
Copies	\$533.00
MLC Recordings	\$304.00
Recording	\$16,973.00
Realty Stamps - Town	\$12,382.00
Vitals Copies	\$1,085.00
Marriage License	\$192.00
Liquor Licenses	\$700.00
Victualling Licenses	\$400.00
Probate Fees	\$4,769.14
Municipal Court Fees - Town	\$7,415.00
Dog Licenses	\$73.00
Other	\$813.00

Submitted by: Administrator T. Joseph Almond

**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED****REPORT 2009-65**

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**Monthly Report: Library**Programs/Participants

Computer Classes 5  
Children's Programs 1  
Storytimes 7  
Adult Programs 5  
Young Adult Programs 3

Items Added to Collection

Books, Videos, CD's, Magazines, DVD's 1,112

General Library Use

Items Circulated 17,738  
New patrons 97  
In-House Computer Use 1,934  
Library Web Pages Accessed 167.564  
Online Database Usage 474  
Overdrive usage 97  
E-Book Usage 9

Submitted by: Administrator T. Joseph Almond



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

Meeting: 10-20-09 07:00 PM

Department: Public Works

Category: Internal

Prepared By: Candace Larson

Initiator: Paul Prachniak

Sponsors:

### COMMUNICATION 2009-104

DOC ID: 1661

## Monthly Report Parks and Recreation September 2009

### MEMORANDUM

To: Town Administrator T. Joseph Almond  
From: Parks & Recreation Division  
Date: October 8, 2009  
Re: Parks & Recreation Maintenance Report - Month of September 2009

- Ü Soccer Field Set Up
  - Manville
  - Lime Acres
  - YMCA
- Ü Weed Wacker
  - Lime Acres
  - Manville
  - Evans Park
  - Saylesville
  - Albion
- Ü Infield Edging
  - Narrows
  - Fairlawn
- Ü Field Cutting
  - Albion
  - Manville
  - Gateway
  - Arnold Park
  - Saylesville
  - Fairlawn
  - Narrows
  - Lime Acres
  - Lonsdale
  - Quinville
- Ü Trash Drums emptied
- Ü Picnic Table Repair and Painting
- Ü Preventive Maintenance
  - Toro
- Ü Lonsdale Tan Building Project
- Ü Pavilion Painted
  - Fairlawn
  - Lonsdale
  - Saylesville
- Ü Flag Football Equipment Inventory
- Ü Fairlawn Graffiti Painted

Director's Notes September 2009.

- Appraised the condition of the structures at Manville Park with Building Inspector.
- Reviewed the 30% plans of Manville Park project.
- Assessed the sewer-line break at Albion Park.
- Met with the coordinator of the Leukemia/lymphoma Light the night walk
- Discussion with school department's Director of Building and grounds about trash removal and disposal procedures.
- Worked with Town Planner on the design of pre-engineered service building layout for Manville.
- Assisted an Eagle Scout candidate with a project proposal.
- Oversaw the upgrade of the interior of the Lonsdale Park house.
- Coordinated the aeration and over seeding of the ball fields.
- Attended weekly Department Heads meetings.
- Updated the Town inventory list of Parks & Recreation capital items.
- Assigned fields and facilities to meet requests of youth leagues.
- Implemented fall activities schedule.
- Displayed due diligence in addressing the daily demand's of the division.



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### REPORT 2009-66

## Monthly Report: DPW

### Building Department Fee and Cost Detail Report

#### Value of Construction

	<u>Count</u>	<u>Sum</u>
Commercial - New Structure	0	\$ 0.
Commercial -Alterations/Additions	4	\$ 950,575.
Residential- New Structure	8	\$1,445,580.
Residential -Alterations/Additions	33	\$ 461,241.
Garages	4	\$ 189,860.
Demolition and Moving	1	\$ 5,000.
Other Costs	49	\$ 177,996.
Total	101	\$3,230,252.

#### Fees Charged by Type

Building	51	\$ 38,048.
Mechanical	22	\$ 2,676.
Plumbing	7	\$ 515.
Electrical	20	\$ 1,818.
Demolition/Moving	1	\$ 105.
Sign	0	\$ 0.
Total	101	\$ 43,162.

#### Zoning Report

Complaints from Residents	7
Zoning Applications Filed	1

Submitted by: Administrator T. Joseph Almond



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

Meeting: 10-20-09 07:00 PM  
Department: Personnel  
Category: Internal  
Prepared By: Joanne McManus  
Initiator: Joanne McManus  
Sponsors:

### SCHEDULED

## COMMUNICATION 2009-105

DOC ID: 1657

# Monthly Report-Personnel

To: The Honorable Town Administrator, T. Joseph Almond

From: Joanne McManus, Personnel Director

Date: October 5, 2009

RE: Monthly Departmental Report -September 2009

On a daily basis, I work on the processes of the Personnel Office (benefits, IODs, Risk Management, accepting applications, explaining of contractual language, Workers Compensation, Unemployment Insurance, Temporary Disability Insurance, John Hancock Pension Fund, State Pension Funds, job postings, advertisements, and numerous employee questions).

### **In addition to the above:**

On September 19, 2009, we held our Municipal Auction and Inventory Sale. The Town sold unused items and vehicles.

I have worked with Joan Dion and WEEI to organize the Friday Night Lights ceremony, spotlighting the Town of Lincoln.

On September 22, 2009, I brought a consultant in to speak with all Department Heads and Supervisors regarding enforcement of the Policies and Procedures Manual.

On September 24, 2009, I met with Beacon Mutual and our Highway Superintendent to review Workers' Compensation claim history. We will be instituting a new stretching program and hopefully decrease our DPW injuries.

The DPW Director interviewing committee has been composed and interviews will be conducted shortly.



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

**REPORT 2009-67**

# Monthly Activity Report: Public Safety

## Lincoln Police/Public Safety

### September 09 Activity Report

Calls for Service: 1679

Incidents: 229

Arrests: 56      Adult: 47      Juveniles: 9      Traffic: 149

Auto Accidents: 62

Injuries: 29

Rescue calls dispatched: 296

Burglar Alarms: 122

Total Fees collected: \$ 1,598.00

Parking Tickets: \$1350.00      Report Copies: \$198.00      Alarm Bills: \$50.00

Restitution: \$ 2,100.00

Offenses known to police:

Homicide:	0
Sexual Assaults:	1
Burglary:	04
Robbery:	0
Assaults:	10
Breaking and Entering:	03
Larceny:	29
Motor vehicle thefts:	02

Drug offense:	02	
Liquor Law violations:	01	Liquor Establishment violations: 0
Domestic Assaults/Domestic Offenses:		04
DWI/OUI:	02	
Disorderly:	08	
Suspended License:	17	

#### Traffic Report:

Motor Vehicle Stops:	329
Citations issued:	144
Radar Posts:	162

#### Complaints received by the traffic officer:

Speeding Linda Street-Traffic post set up.  
 Speeding Kendall Dr-Traffic posts  
 Speeding Great Road at Dexter Rock-Traffic Post  
 Trucking Great Road at 116  
 Speeding Old River in area of Deerfield Court-Traffic post, traffic logger deployed.  
 commercial trucking on Cobble Hill- Having new signs installed.

The department has add a third radar trailer that can be deployed on town roads. The department obtained unused radar equipment from the Central Falls Police Department. The traffic officer worked with town highway personnel and installed the equipment on a new trailer.

#### Traffic Logger:

Old river at Deerfield court

#### Radar Trailer# 1

Jenckes Hill Road  
 Chaple St.

#### Radar Trailer# 2

Harris Ave. Hill  
 Westwood Road at Cormier Road  
 C Street  
 D Street  
 E Street

**Rescue Monthly Report**

<u>Fire District</u>	<u>Rescue 2</u>	<u>Rescue 4</u>
Manville	39	3
Albion	40	6
Limerock	39	50
Lonsdale	06	47
Saylesville/Fairlawn	03	17
Quinville	01	01
Mutual Aid Given	15	37
Mutual Aid Received		16

Rescue billing generated \$ 57,921.59 this month.  
 Gross receipt for fiscal year 2009-2010: \$ 168,043.15

**Animal Control Officers Report:**

Complaints/Road Calls: 77

Citations: 2                      Court Summons: 0

Money collected: \$ 540.00

Fines: \$ 150.00                      Fees: \$ 390.00

Dogs in shelter at beginning of month: 12

Stray dogs picked-up:                      5

Dogs surrendered by owners:              0

Dead Dogs picked up:                      0

Total number of dogs handled:            17

Dogs Adopted:                                0

Report 2009-67

Meeting of October 20, 2009

Dogs returned to owners:	5
Dogs put to sleep:	2
Dogs left in shelter:	10
Cats in shelter at beginning of month:	41
Cats picked up:	8
Turned in by owner:	1
Cats adopted:	0
Cats put to sleep:	1
Cats returned to owner:	1
Cats died at shelter:	3
Cats left in shelter:	40
DOA: animals handled:	1 raccoon, 1 crown, 1 rabbit, 4 skunk, 5 opossum, and 3 fox.

Submitted by: Administrator T. Joseph Almond



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### REPORT 2009-62

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## October 2009 Abatements

Total Abatements for October are \$44,534.59

#### ATTACHMENTS:

- October 2009 (XLS)

Submitted by:

Appointment 2009-11

**The Town of Lincoln**  
**Resolution of the Town Council**

Land Trust District 1

Land Trust District 1

Submitted by: Councilman Keith Macksoud

Appointment 2009-24

**The Town of Lincoln**  
**Resolution of the Town Council**

Appointment Conservation Commission District 1

Conservation Commission District 1

Submitted by: Councilman Arthur Russo

Appointment 2009-25

**The Town of Lincoln**  
**Resolution of the Town Council**

Appointment Zoning Board District 2

Zoning Board

Submitted by: Councilman John Flynn



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### RESOLUTION 2009-43

## Leasing of Lonsdale LL Field

WHEREAS, The Town of Lincoln has renovated Lonsdale Park into a brand new state of the art little league field, and

WHEREAS, the primary use of this field will be by the Lincoln Little League, and

WHEREAS, the Lincoln Little League has expressed a desire to lease this park from the town in order to solicit donors and display ads to help generate needed revenue,

NOW, THEREFORE, be it Resolved by the Town of Lincoln that: The Town Council authorizes the Town Administrator to enter into an agreement to lease the little league field and accompanying facilities to the Lincoln Little League with the following conditions:

1. It will be a one (1) year lease with an option to renew.
2. Should the Little League not want to renew, the property immediately reverts back to the Town.
3. The Town will continue to maintain the property until the end of 2009, then it becomes the responsibility of the Little League.
4. The Little League will accept liability during games or will accept with the Trust has to offer.
5. The Little League will coordinate its schedule of practices and games with the Town's Recreation Department.
6. The Town can reserve this field for special events which will be coordinated between the Recreation Department and the Little League.
7. The Town may use the bathrooms and concession area at no charge.
8. The Little League may solicit donors and display ads

Submitted by:



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

**ORDINANCE 2009-14**

Meeting: 10-20-09 07:00 PM

Department: Town Council

Category: Zoning

Prepared By: John Flynn

Initiator: John Flynn

Sponsors: Councilman John Flynn

DOC ID: 1636

# Wind Turbines

## AN ORDINANCE IN AMENDMENT TO § 260-7 and §260-14 OF THE ZONING ORDINANCE FOR THE TOWN OF LINCOLN

The Town Council of the Town of Lincoln hereby ordains:

### ARTICLE II DEFINITIONS

#### §260-7 Definitions

Wind Energy Conversion Facility or Wind Facility: All equipment, machinery, and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, towers, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind Turbine: A device that converts kinetic wind energy into rotational energy that drives an electric generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades.

Wind Energy Conversion Facility Height or Wind Facility Height: the height of a wind turbine measure from pre-development grade to the tip of the rotor blade at its highest point or blade-tip height.

### ARTICLE III USE REGULATIONS

#### §260-14 Service Business Uses

see attachment

#### **P. & Q. Wind Energy Conversion Facilities and/or Wind Facilities**

Any such proposed uses and structures located within the vicinity of historic structures, historic districts or designated scenic corridors shall not be approved unless such proposed uses and structures are so concealed as to be substantially invisible. The views of, and vistas from, such structures, districts or designated scenic corridors shall not be impaired or diminished by the placement of such uses and structures.

#### 1. Additional Submission Requirements:

- a. Any applicant for such uses or structures shall submit visual impact data including but not limited to photographic simulations of the proposed facility as it would be seen from residential areas, public rights of way, parks and other recreational facilities.
- b. Location of proposed tower with radius map, showing the locations of all appurtenant structures, cables, wires, and access roads.
- c. A maintenance and operation plan for the facility
- d. Proof of liability insurance.
- e. Approval of height of structure from FAA.
- f. A statement certifying that the structure and facilities comply with the noise requirements of this Ordinance.

### 2. Additional Findings Required by Zoning Board of Review

The construction of a wind facility shall be allowed pursuant to this use table if the use complies with all requirements set forth in this Ordinance and applicable requirements of the Federal Aviation Administration. All such facilities shall be constructed and operated in a manner that minimizes any adverse visual, safety, and environmental impacts. The Zoning Board of Review may not grant a permit or variance unless it finds, in writing, that:

- a. the specific site is an appropriate location for such use;
- b. the use will not adversely affect the neighborhood;
- c. there will not be any serious hazard to pedestrians or vehicles from the use;
- d. no nuisance will be created by the use; and
- e. adequate and appropriate facilities will be provided for the proper operation of the use.

### 3. Support Towers.

Monopole towers, rather than lattice or cable-supported towers, are the preferred type of support for wind facilities, and shall be used when a support tower is proposed. Lattice or cable-supported towers may only be permitted if it is demonstrated to the satisfaction of the Zoning Board of Review that the use of a monopole tower is impractical.

### 4. Setbacks

Except for building mounted facilities, a tower or structure supporting a wind turbine shall be set back a distance equal to at least 1.5 times the height of the highest point of the wind turbine from the nearest occupied building or property line.

### 5. Color and Lighting

All components of the wind facility shall be painted a neutral, non-reflective exterior color designed to blend with the surrounding environment, such as white, light gray or light blue.

Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of the wind facility, such as appurtenant structures, shall be limited to that required for safety, security, and operational purposes, and shall be reasonably shielded from abutting properties.

6. Noise.

Audible sound from a wind facility shall not exceed 50 dBA for any period of time when measured at the property line of any residence, school, hospital, church or public library.

This is a proposed Amendment to the Zoning Ordinance to allow for Wind Turbines by Special Permit in Commercial and Manufacturing Zones.

**HISTORY:**

09-15-09

Town Council

REFERRED TO COMMITTEE

Next: 10-21



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

## ORDINANCE 2009-15

Meeting: 10-20-09 07:00 PM

Department: Town Council

Category: Zoning

Prepared By: Keith Macksoud

Initiator: Keith Macksoud

Sponsors: Councilman Keith Macksoud

DOC ID: 1637 B

## Amendment to Zoning Ordinance, Re: Signs

Article VI, § 260-34 C of the Lincoln Zoning Ordinance, entitled “Signs permitted in all districts” is hereby amended as follows:

The number of current subsection C (4) is hereby amended to C (5), and a new subsection C (4) is added as follows:

(4) Seasonal sponsor signs located at athletic/recreational fields that are leased from the Town by a youth sports league, provided that the such signs are only displayed from April 1<sup>st</sup> to October 31<sup>st</sup>, be no larger than 24 square feet in area, be installed in a secure manner to eliminate movement from wind/weather conditions and be maintained in good condition throughout the display period.

#### HISTORY:

09-15-09

Town Council

REFERRED TO COMMITTEE

Next: 10-21



**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

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**RESOLUTION (ID # 1675)**

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**Bid: Highway Garage Waste Oil Storage Tank**

Bid

Submitted by: Finance Director John Ward



**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED**

**RESOLUTION 2009-50**

**Opposition to Binding Arbitration for Teacher Contracts**

**RESOLUTION IN OPPOSITION TO BINDING ARBITRATION FOR  
TEACHER CONTRACTS**

**WHEREAS**, mandatory binding arbitration on all issues, including wages and benefits, presently in force for local police and fire departments, has led Rhode Island, according to the Rhode Island Public Expenditure Council (RIPEC), to having the fifth highest police costs and highest paid firefighters nationally; and

**WHEREAS**, the State of Connecticut is currently employing binding arbitration for teachers which has led to contract awards resulting in the highest paid teachers in the nation; and

**WHEREAS**, recent practice by teacher unions has been to invoke “work to rule” practices in lieu of striking; and

**WHEREAS**, Rhode Island cities and towns are currently struggling to survive under the onerous burdens of state and federal mandates which are too often unfunded while being limited by restrictions on tax levy growth despite the retraction of significant amounts of state aid and withering local revenues; and

**WHEREAS**, binding arbitration chills the negotiation process and will create a disincentive for teacher unions to settle unresolved issues through fair negotiation, as they may perceive that more may be gained through binding arbitration; and

**WHEREAS**, experience with police and fire arbitration has shown us that it takes years to reach conclusion, impairs a community’s ability to affect quality fiscal budgets, and costs tens of thousands of dollars; and

**WHEREAS**, the proposed mandatory binding arbitration legislation being advanced through the General Assembly and supported by the teacher unions does not take student welfare into account; does not address the limitations of current property tax limitations as created by Senate Bill 3050; does not recognize management rights as have been established by the state courts; and will not prevent either strikes or “work to rule” actions by teacher

unions.

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

**SECTION 1.** Respectfully requests that the Rhode Island General Assembly reject any and all legislation that will allow binding arbitration for teacher contracts

**SECTION 2.** the Town Council directs the Town Clerk, upon approval of the majority, to forward a certified copy of this resolution to the Rhode Island General Assembly Representatives and Senators for the Town of Lincoln, the Speaker of the Rhode Island House of Representatives and the President of the Rhode Island Senate.

Submitted by: Administrator T. Joseph Almond



## The Town of Lincoln

100 Old River Road  
Lincoln, RI 02865

### SCHEDULED

### RESOLUTION 2009-51

## Reinstate 4Th Quarter Vehicle Excise Tax Paymetn

WHEREAS, the Town Council of the Town of Lincoln would like to acknowledge that fiscal stress for Rhode Island's cities and towns definitely exists in today's economy; and

WHEREAS, fiscal stress in cities and towns has been caused by a declining economy and massive cutbacks by the state; and

WHEREAS, over the past several years, and two recessions, the state has faced difficult budgets resulting in nearly one billion dollars in lost revenue. They have managed through this crisis with reductions in state spending, improved operating efficiencies and without broad-based taxes. Savings were also achieved through healthcare, pension reform and a reduction in state employment levels, changes to social service programs and cuts to local aid; and

WHEREAS, Governor Carcieri has proposed a plan to cut an additional 68.7 million dollars. This plan would be partly achieved by withholding the fourth (4th) quarter of the vehicle excise tax from cities and towns; and

WHEREAS, if Governor Carcieri's plan passes and withholding the fourth (4th) quarter of vehicle excise tax should occur, this will place additional fiscal stress on all cities and towns. When preparing the 2009-2010 budget, the Town of Lincoln made numerous concessions and an additional loss of state revenue would place an almost impossible burden on the tax-payers of Lincoln as well s the Town;

NOW, THEREFORE, be it Resolved by the Town of Lincoln that: this Resolution be sent to the Rhode Island Congressional delegation, the Town's State delegation, all State General Officers and the leadership of all other Rhode Island municipalities to request their support in asking the Governor to reconsider additional cuts to cities and Towns

Submitted by: Councilman Keith Macksoud

**The Town of Lincoln**

100 Old River Road  
Lincoln, RI 02865

**SCHEDULED****ORDINANCE 2009-16**

Meeting: 10-20-09 07:00 PM

Department: Town Council

Category: Local Law

Prepared By: John Flynn

Initiator: John Flynn

Sponsors: Councilman John Flynn

DOC ID: 1659

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## **Income and Age Based Senior Property Tax Exemption**

Any senior who is age 65 or greater and has household income of \$24,999 or less on an annual basis can apply for this additional exemption.

Income is defined as adjusted Gross Income for all members of the household as reported to the Internal Revenue Service.

Age is determined based on the age on or before December 31st of the year preceding the year in which the tax is due and payable.

The additional exemption above \$600 can only be applied to a primary residence and no member of the household can own any other real estate.

This amendment to 228-1 will continue the \$600 exemption for Senior Citizens.

It adds increased exemptions for Seniors who meet the age and income requirements.