

**AGENDA FOR THE REGULAR MEETING
OF THE TOWN COUNCIL
OF THE TOWN OF EXETER, RHODE ISLAND
675 TEN ROD ROAD
EXETER, RI 02822**

**AUGUST 1, 2005
7:15 P.M.**

**MEETING LOCATION: Town Council Chambers
Exeter Town Hall
675 Ten Rod Road, Exeter**

**No. 1 INVOCATION: Town Council Member Ross L. Aker
PLEDGE OF ALLEGIANCE: Eagle Scout Robert A. Johnson**

No. 2 CALL TO ORDER: ROLL CALL:

No. 3 PUBLIC COMMENT: Comments are not limited to items on this evening's agenda; however, items not on this agenda will only be heard and not acted upon by the Town Council unless they are of an emergency nature (3 minute time limit per item, 15 minute maximum time allowed for this agenda item)

7:30 P.M.

No. 4 CONSENT AGENDA: Consent Agenda Items are approved in one motion (outlined on pages 5, 6, 7, 8 & 9)

No. 5 APPROVAL OF MINUTES:

- A Town Council Meeting of July 5, 2005**
- B. Special Town Council Meeting of July 8, 2005**
- C. Special Town Council Meeting of July 25, 2005**
- D. Executive Session of July 25, 2005**

No. 6 APPROVAL OF AGENDA ORDER

No. 7 APPOINTMENTS AND VACANCIES:

A. VACANCIES:

- 1. Board of Assessment Review Alternate
(Unexpired term of Richard DiCicco)**

2. **Personnel Board Members
(5 Members to replace prior Board)**
3. **Conservation Commission**
4. **Affordable Housing Advisory Board**

B. APPOINTMENTS:

1. **Zoning Board of Review Member to 7/2008
(unexpired 5-year term of Daniel Patterson)**
2. **Reynolds Charitable Trust Committee Member
(Replacement for James Wheaton)**
3. **Home Rule Charter Review Commission**
4. **Historic Preservation Commission
(new Commission, 7 members)**

No. 8 REPORTS OF OFFICERS, BOARDS, COMMITTEES:

- A. **TAX COLLECTOR'S REPORT, REMITTANCES AND ABATEMENTS: Tax Collector Lynette L. Lussier***
- B. **TOWN TREASURER'S REPORT: Town Treasurer Richard D. Walker***
- C. **TRANSFER STATION COORDINATOR'S REPORT: Town Council President William J. Devanney, DDS***
- D. **SCHOOL DISTRICT LIAISON REPORT: Town Council Member Ross L. Aker***
- E. **TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP***
- F. **PUBLIC WORKS DEPARTMENT COORDINATOR'S REPORT: Town Council Member Wayne E. Cross***
- G. **ANIMAL CONTROL COORDINATOR'S REPORT: Town Council Vice President Diane B. Allen***
- H. **TAX ASSESSOR'S REPORT: Tax Assessor Wendell W. Wilkie, RICA***

- I. FIRE DISTRICT/PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON REPORT: Town Council Member Robert E. Johnson, Jr.***
- J. EMERGENCY MANAGEMENT REPORT: Director Robert Franklin and Assistant Director Thomas S. McMillan***
- K. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL REPRESENTATIVES' REPORT: Town Council Member Ross L. Aker***
- L. JUVENILE HEARING BOARD REPORT: Town Sergeant Richard S. Brown***
- M. TOWN COUNCIL ASSISTANT'S REPORT: Town Council Assistant Kenneth G. Findlay***
- N. SOLICITOR'S REPORT: James P. Marusak, Esq. of Gidley, Sarli & Marusak**

No. 9 UNFINISHED BUSINESS:

- A. EXETER PUBLIC LIBRARY**
- B. CHELSEA PARK PLAYGROUND**
- C. EXETER VETERANS' MEMORIAL COMMITTEE: Commission Of Monument to Exeter's Veterans**
- D. OLD TOWN HALL/WOODY HILL SCHOOL**
- E. HISTORIC PRESERVATION**
- F. CREATION OF TOWN ORDINANCE RELATING TO FALSE FIRE AND MEDICAL CALLS, continued from 7/5/05 (waiting for State enabling legislation)**
- G. EXETER AFFORDABLE HOUSING PLAN: Revision and Correction of Deficiencies, continued from 7/5/05**
- H. AMENDMENT OF ZONING ORDINANCE: Request of Exeter Real Estate Holdings, LLC for amendment to the Exeter Zoning Ordinance, continued from 7/5/05**
- I. PLANNING BOARD REQUEST: Formation of Waste Water Management District at Ladd Center for Monitoring all ISDS and**

Adoption of Proposed Ordinance, continued from 7/5/05

- J. AMENDMENT OF ZONING ORDINANCE: Application of Real Gould Realty, LLC to allow drive-thru facility in a Business District (B) Zone, continued from 7/5/05**

No. 10 NEW BUSINESS:

- A. ADOPTION OF EXETER HAZARD MITIGATION PLAN: Evaluated and Approved by FEMA 7/8/05**
- B. SOLID WASTE MANAGEMENT AGREEMENT: Approval of Agreement Solid Waste Management Agreement with RI Resource Recovery Corporation and Authorization for Signing by Town Council President William J. Devanney, DDS**
- C. CONTRACT FOR STATISTICAL REAPPRAISAL AND REVALUATION: Approval of Contract with Certified Revaluation Company, Inc. and Authorization for Signing by Town Council President William J. Devanney, DDS**
- D. EXETER HOME RULE CHARTER: Request of Francis P. DiGregorio For determination of Violation**
- E. EXETER PLANNING BOARD: Request to Schedule Joint Town Council/Planning Board Work Session to review Waste Water Management District, Inclusionary Zoning, Affordable Housing, Consulting Services and Comprehensive Permit Regulations (9/05)**
- F. ZONING VIOLATION AND ORDER TO CEASE AND DESIST: Vernon and Patricia Ann Lawrence, 44 Nelson Drive – Status Report**

No. 11 BILLS, APPROPRIATIONS, ABATEMENTS*

No. 12 COMMUNICATIONS*

No. 13 OTHER BUSINESS:

- A. SCHEDULE OF AUGUST MEETINGS AND EVENTS***
- B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers***
- C. ACKNOWLEDGEMENTS***
 - 1. EAGLE SCOUT DESIGNATION: Robert A. Johnson,**

Eagle Scout Court of Honor Ceremony, July 16, 2005

No. 14 EXECUTIVE SESSION

- A. CURRENT LITIGATION**
- B. RICO CORPORATION GRAVEL BANK**
- C. DEER BROOK DEVELOPMENT CORPORATION**
- D. LADD CENTER/JOB CORPS**
- E. LABOR UNION/CONTRACT NEGOTIATIONS**
- F. PERSONNEL ISSUES**

No. 15 ADJOURNMENT

***Items marked with an asterisk (*) are approved in the CONSENT AGENDA, unless removed by a Town Council Member by request.**

No. 4 CONSENT AGENDA

- A. Bill Sheet, dated 8/01/05**
- B. Schedule of August Meetings and Events**
- C. Abatements, dated 8/1/05**
- D. Reports**
 - 1. Town Clerk's Report, dated 7/31/05**
 - 2. Probate Report, dated 7/25/05**
 - 3. Treasurer's Report, dated 8/01/05**
 - 4. Tax Collectors's Report, Remittances and Abatements, dated 8/01/05**
 - 5. Animal Control Officer's Reports**
- E. COMMUNICATIONS:**

- 1. July 5, 2005 – Letter of VMA Arts and Cultural Center requesting donation**
- 2. July 5, 2005 – Letter of NEMC Institute & Academy Scholarship Chair Carol A. Johnson announcing NEMCI \$500 scholarship, NEACTC \$150 scholarship and RITCCA \$100 scholarship to NEMCI Academy at Salve Regina University to Cheryl Chorney**
- 3. July 5, 2005 – Letter of RIIRMT with Insurance Certificates for Property/Liability and Workers’ Compensation Insurance for 7/1/05 to 6/30/06**
- 4. July 5, 2005 – Citizens Bank *Investments Perspectives* Summer 2005 Newsletter**
- 5. July 5, 2005 - Memorandum of Municipal Affairs Budget Office Regading Motor Vehicle Exemption**
- 6. July 6, 2005 – Memorandum of Frank DiGregorio regarding Alleged Charter Violations**
- 7. July 7, 2005 – Memorandum of WCRPC with agenda for 7/20/05 Meeting,**
- 8. July 7, 2005 – Memorandum of RIDEM Waste Management Permitting Program with Applicant Permitting Survey**
- 9. July 7, 2005 – Memorandum of RIEMA regarding terrorists attacks in London and security threat level for public transportation system**
- 10. July 8, 2005 – Letter of resignation of Daniel W. Patterson from the Exeter Zoning Board of Review**
- 11. July 8, 2005 – Letter of RIDEM with Insignificant Alteration Permit for Everson Realty LLC for the property located 240’ west of Slocum Road, 2000 feet from intersection of Slocum Road And Shermantown Road, described as Plat 81 Block 3 Lot 12**
- 12. July 11, 2005 – Letter of National Grange Mutual Insurance Co. regarding claim of Leslie Bryant for damage to car caused by Culvert on Partridge Drive**
- 13. July 11, 2005 – Letter of United Health Care regarding comparison of Blue Cross/Blue Sheild and United Healthcare rates**

- 14. July 11, 2005 – Letter of Municipal Affairs Acting Supervisor Peder Schaefer regarding contract extensions for CDBG programs**
- 15. July 12, 2005 – Letter of Municipal Affairs Budget office regarding Motor Vehicle Exemption**
- 16. July 13, 2005 – Letter of FEMA announcing FEMA evaluation and determination of compliance for Exeter Hazard Mitigation Plan**
- 17. July 14, 2005 – Letter of RIEMA regarding the National Flood Insurance Rate Map re-mapping initiative and Flood Map Modernization program**
- 18. July 14, 2005 – Memorandum of RI League of Cities & Towns Regarding ASCAP Licensing Agreement for Municipalities**
- 19. July 15, 2005 – Resolution of the Providence City Council urging all elected officials and all citizens to join Providence in a cooperative effort to raise the funding necessary to make the USS Saratoga Museum a reality**
- 20. July 19, 2005 – Letter of Fred Padula thanking DPW Director John Sullivan for his cooperation in handling the damage to his mailbox as a result of winter storms**
- 21. July 19, 2005 – Memorandum of RI League of Cities & Towns with REAP Saving Report for May/June 2005**
- 22. July 19, 2005 – Memorandum of RIDEM regarding mosquito control and distribution of mosquito larvicide**
- 23. July 19, 2005 – Letter of Donald M. Gregory, Esq. regarding Exeter Zoning Ordinance Land Use Table and various uses and lack of provision for landscaping businesses and request for Zoning Ordinance amendment to include landscaping businesses As permitted use or special use permit**
- 24. July 19, 2005 – Letter of United Healthcare announcing decision by Town of East Greenwich to select them as its sole health insurance provider**

25. **July 19, 2005 – Letter of State Archivist & Public Records Administrator R. Gwenn Stearn with check for \$1,200 for Local Government Records Grant award to purchase shelving and archival boxes for vault**
26. **July 19, 2005 – Memorandum of RI League of Cities & Towns regarding Final FY 2006 Education Aid Entitlements, Charter Aid and Aid Payment Schedules**
27. **July 19, 2005 – Letter of RIRRC with Solid Waste and Recycling Services Agreement for FY 2006**
28. **July 20, 2005 – Memorandum of RI League of Cities & Towns Regarding Revised FY 2006 Teacher Valuations**
29. **July 21, 2005 – RI Homeland Security Bulletin from RIEMA Regarding terrorist attacks in London and security update**
30. **July 22, 2005 – Letter of RIRRC announcing Exeter has reached or exceeded its 20% recycling rate mandated by RIRRC for FY 2004-2005**
31. **July 22, 2005 – Memorandum of Francis P. DiGregorio regarding Alleged Home Rule Charter Violation and urgency for Solicitor’s advisory opinion**
32. **July 25, 2005 – Memorandum of RI League of Cities & Towns Regarding residency requirements and State law amendments**
33. **July 25, 2005 – Letter of Jocelyn Pelsler thanking the Town of Exeter for the Emily Anthony Scholarship award**
34. **July 25, 2005 – Letter of City of Cranston Mayor Stephen P. Laffey with Resolution urging the General Assembly enact legislation imposing restraint on the exercise of the power of eminent domain by municipalities for private developers for the purpose of improving tax revenue or expanding tax base**
35. **July 26, 2005 – Letter of interest of Zoning Board Alternate Michael J. Picillo for the Zoning Board of Review member position**
36. **July 29, 2005 – Letter of Wastewater Treatment Services, Inc. Announcing residents at 116 Mill Pond Road have cancelled Maintenance contract for alternative septic system, for which State law requires maintenance contract in place for the life**

of the system

37. July 29, 2005 – Letter of Office of Municipal Affairs with request
For completion of salary survey

No. 13 C. ACKNOWLEDGEMENTS*

POSTING STATEMENT: Exeter Town Council Meeting Agenda posted at the following locations:

**EXETER TOWN HALL
EXETER POST OFFICE
EXETER PUBLIC LIBRARY
BLUEBERRY HILL STORE
EWG-TV**

A seventy-two (72) hour notice is required for persons with sensory impairments requiring auxiliary aids by calling 295-7500. The Exeter Town Hall is handicapped accessible. Town Council Meetings are televised on EWG-TV Tuesday and Friday after regular meetings.