

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

**TUESDAY
SEPTEMBER 6, 2005
7:15 P.M.**

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

**No. 1 INVOCATION AND PLEDGE OF ALLEGIANCE: Town Council Member
Wayne E. Cross**

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 &10)**

No. 5 APPROVAL OF MINUTES:

- A. Town Council Meeting of August 1, 2005**
- B. Special Town Council Meeting of August 15, 2005**
- C. Special Town Council Meeting of August 22, 2005**
- D. Executive Session of August 1, 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 Alternate to 7/2007**
(replacement for Michael Picillo)
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 PUBLIC HEARING:

- A. **AMENDMENT OF ZONING ORDINANCE: Application of Real Gould Realty, LLC to allow drive-thru facility in a Business District (B) Zone, as advertised**

No. 9 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. 10 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 8/1/05 (waiting for State enabling legislation)**
- G. EXETER AFFORDABLE HOUSING PLAN: Revision and Correction of Deficiencies, continued from 8/1/05**
- H. AMENDMENT OF ZONING ORDINANCE: Request of Exeter Real Estate Holdings, LLC for amendment to the Exeter Zoning Ordinance, continued from 8/1/05**

- I. PLANNING BOARD REQUEST: Formation of Waste Water Management District at Ladd Center for Monitoring all ISDS and Adoption of Proposed Ordinance, continued from 8/1/05**
- J. ZONING VIOLATION AND ORDER TO CEASE AND DESIST: Vernon and Patricia Ann Lawrence, 44 Nelson Drive – Status Report**

No. 11 NEW BUSINESS:

- A. PROCEED TO PUBLIC HEARING: Request of Richard Schartner of Schartner Farms for a Zone Change for a 48.86 acre portion of the property described as Plat 39 Block 1 Lot 2 located on the southerly side of Ten Rod Road from RU-3 to Business**
- B. AMENDMENT OF THE EXETER ZONING ORDINANCE: Age-Restricted Housing, Prepared by Town Planner David Schweid – Town Solicitor’s Comments for Changes to be forwarded to Exeter Planning Board for their review**
- C. PRESS RELEASE FOR STATISTICAL REVALUATION: Request of Tax Assessor Wendell W. Wilkie, RICA for Approval of Press Release announcing Contract with Certified Revaluation Company, Inc. for State Mandated Statistical Property Tax Revaluation**
- D. STATUS REPORT OF TAX PAYER EXEMPTIONS: Tax Assessor Wendell W. Wilkie, RICA**
- E. EXETER PUBLIC LIBRARY: Request of Library Director Amy E. Skolnik for Town Council action to keep gate at the Cell Tower located On Town property closed and locked due to safety and liability concerns**
- F. EXETER PENSION PLAN: Authorization to change names of Trustees on Pension Account with Charles Schwab & Co., Inc. (to current Treasurer and current Town Council)**

No. 12 BILLS, APPROPRIATIONS, ABATEMENTS*

No. 13 COMMUNICATIONS*

No. 14 OTHER BUSINESS:

- A. SCHEDULE OF SEPTEMBER MEETINGS AND EVENTS***
- B. PROCLAMATION: A Day to Remember – September 11, 2001***

- C. **REYNOLDS CHARITABLE TRUST: Approval of Vouchers***
- D. **POLE PETITION: Verizon and Narragansett Electric for Old Widow Sweets Road to add new service***
- E. **ACKNOWLEDGEMENTS: EWG High School Teacher Gwynne Millar named RI State Agriculture Science Teacher of the Year***

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 9/06/05**
- B. **Schedule of September Meetings and Events**
- C. **Abatements, dated 9/02/05**
- D. **Reports**
 - 1. **Town Clerk's Report, dated 8/31/05**
 - 2. **Probate Report, dated 8/22/05**
 - 3. **Treasurer's Report, dated 9/06/05**
 - 4. **Tax Collectors's Report, Remittances and Abatements, dated 9/06/05**

5. Animal Control Officer's Reports

E. COMMUNICATIONS:

- 1. August 1, 2005 – Letter of Carolyn A. Mannis, Esq. regarding Charter Violation complaint of Francis P. DiGregorio**
- 2. August 1, 2005 – Letter of Agricultural Land Preservation Commission to Richard Schartner announcing acceptance of \$3,100,000 appraisal by RIDEM for acquisition of the development rights to Bald Hill Nursery property**
- 3. August 3, 2005 – Letter of Francis P. DiGregorio regarding alleged Charter Violation and request for public records**
- 4. August 4, 2005 – Letter of David W. Schweid Land Use Planning Services regarding services for preparation of zoning amendment for age-restricted housing**
- 5. August 4, 2005 – Letter of Leadership Rhode Island regarding the LRI experience and requesting a donation**
- 6. August 4, 2005 – Letter of W.A.R.M. with Summer 2005 *Embers* Newsletter**
- 7. August 5, 2005 – Benefits Unlimited *eBenefits* July 2005 Newsletter**
- 8. August 5, 2005 – Memorandum of RI League of Cities & Towns Regarding \$2,100,000 more REAP savings for the coming year**
- 9. August 9, 2005 – Letter of RI Department of Education with *Information Works: State Report Card 2005***
- 10. August 9, 2005 – Letter of interest of Ann Powers for the Home Rule Charter Review Commission**
- 11. August 9, 2005 – Letter of RIDEM with Insignificant Alteration Permit for RIDOT Environmental & Intermodal Planning for the property located west of the intersection of Route 102 & Locust Valley Road**
- 12. August 9, 2005 – Letter of RIDEM with Insignificant Alteration Permit for Carl Passarelli for the property located 130' southwest of the intersection of Oak Hill Drive and Cedar Grove Drive**

Described as Plat 51 Block 2 Lot 16

- 13. August 9, 2005 - Letter of RIDEM with Insignificant Alteration Permit for RIDOT for the property located at the intersection of Victory Highway (Route 102) AND Forest Hills Drive4**
- 14. August 9, 2005 - Letter of RIDEM with Insignificant Alteration Permit for Member Realty Group, LLC for the property located 550 feet northwest of the intersection of Slocum Road and Stony Fort Road, described as Plat 82 Block 1 Lot 1**
- 15. August 9, 2005 - Letter of David W. Schweid Land use Planning Services as correction to his letter of 8.4.05, Communication #4**
- 16. August 10, 2005 – Letter of EWG School Committee Chairperson Susan DeSack inviting the Town Council to a joint meeting with the Town Councils of Exeter and West Greenwich and EWG School Committee 10/13/05 at 7:00 p.m.**
- 17. August 10, 2005 – Letter of Randall Arendt regarding proposed Zoning Ordinance amendment for age-restricted housing**
- 18. August 11, 2005 – Letter of Joseph D. Lombardo regarding proposed Zoning Ordinance amendment for age-restricted housing**
- 19. August 12, 2005 – Letter of interest of James W. Chadwick for the Exeter Home Rule Charter Review Commission**
- 20. August 21, 2005 – Memorandum of RI Rivers Council regarding Notice of Rules and Regulations for Proposed Actions to Watershed Councils**
- 21. August 16, 2005 – Letter of interest of Carla Benoist for the Exeter Home Rule Charter Review Commission**
- 22. August 16, 2005 – Letter of RIDEM regarding Public Hearing for FY 2006 Project Priority List and FY 2006 Intended Use Plan**
- 23. August 17, 2005 – Letter of interest of Kevin J. Langton for the Exeter Home Rule Charter Review Commission**
- 24. August 17, 2005 – Letter of interest of Rosamond Fisher for the Exeter Home Rule Charter Review Commission**

25. **August 17, 2005 - Letter of interest of Paul McFadden for the Exeter Home Rule Charter Review Commission**
26. **August 18, 2005 – Letter of Southern RI Conservation District regarding openings on the Board for Directors and Associate Directors**
27. **August 18, 2005 - Letter of Boone Lake Improvement Association regarding Management/Maintenance District**
28. **August 18, 2005 – Letter of Wastewater Treatment Services, Inc. announcing reinstatement of inspection and effluent testing agreement for MicroFAST System for 116 Mill Pond Road**
29. **August 19, 2005 – Letter of EWG-TV Studio thanking Exeter for its past support and outlining change in billing process for for EWG-TV services for the upcoming school year**
30. **August 19, 2005 – Notice from RIDEM Freshwater Wetlands Program of application of Forge Construction Management, Inc. to alter freshwater wetlands at Plat 82 Block 1 Lot 4 in Exeter Located by Utility Pole No. 4-1 approximately 1,100 feet north-west of the intersection of Tupelo Drive and Stony Fort Road**
31. **August 22, 2005 – Letter of interest of Michael J. Picillo for the Exeter Home Rule Charter Review Commission**
32. **August 23, 2005 – Letter of interest of Thomas S. McMillan for the Exeter Home Rule Charter Review Commission**
33. **August 23, 2005 – Resolution of the Providence City Council Urging the General Assembly to enact legislation that cities and towns in RI cannot exercise the power of eminent domain upon private residential property for transfer to private developers for the purpose of improving tax revenue or expanding the tax base for the purpose of economic development**
34. **August 24, 2005 – Letter of interest of Barbara H. DiCicco for the Exeter Home Rule Charter Review Commission**
35. **August 24, 2005 – Letter of Richard Schartner of Schartner Farms regarding zone change for a 48.86 acre portion of Plat 39 Block 1 Lot 2, Bald Hill Nursery Property, from RU-3 to Business**
36. **August 26, 2005 – Letter of interest of Marc L. Simonini for the Exeter Home Rule Charter Review Commission**

37. **August 26, 2005 – Letter of interest of Judith Simonini for the Exeter Home Rule Charter Review Commission**
38. **August 26, 2005 - Letter of interest of Teresa C. Donovan for the Exeter Home Rule Charter Review Commission**
39. **August 26, 2005 – Letter of Providence City Council regarding Initiative adopted by the City Council to promote the use of clean, Renewable energy and urging Exeter to adopt it**
40. **August 29, 2005 – Letter of Blue Cross/Blue Shield of RI regarding the new Medicare Part D prescription drug benefit available 1/1/2006**
41. **August 29, 2005 – Letter of Exeter Real Estate Holdings, LLC Regarding proposed zoning amendment for age-restricted Community**
42. **August 29, 2005 – Letter of Senator Kevin Breene to DOT Director James Capaldi requesting status report of the traffic study for Route 2 in Exeter in the vicinity of the Veterans Cemetery**
43. **August 29, 2005 – Invitation of RI Healthy Schools Coalition to Breakfast for School Leaders 9/29/05, 7:15 a.m., Crown Plaza**
44. **August 29, 2005 – Memorandum of the East Greenwich Town Council with Resolution urging the General Assembly to enact legislation that would impose a restraint on the use of eminent domain for public and other purposes**
45. **August 30, 2005 – Memorandum of Benefits Unlimited with InfoSource Newsletter**
46. **August 30, 2005 – Letter of Exeter Planning Board Chairman J. Michael Abbott and Economic Development Commission Chairman Daniel R. Cotta regarding future economic development of Ladd Center and the Route 2 corridor**
47. **August 31, 2005 – Letter of Betty Boudreau requesting Town Council assistance with fence issue and safety concerns on Hemlock Drive**
48. **September 1, 2005 – Letter of Lead solutions, LLC regarding**

free lead awareness classes to town officials

49. September 2, 2005 – Letter of RI Health Center Association with
Publication *Toward a Healthier Rhode Island*

50. September 2, 2005 – RI Society of Professional land Surveyors
August 2005 *The Ocean State Newsletter*

- No. 13
- B. PROCLAMATION: A Day to Remember
 - C. REYNOLDS CHARITABLE TRUST: Approval of Vouchers
 - D. POLE PETITION: Old Widow Sweets Road
 - E. 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.