

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

**OCTOBER 3, 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
Robert E. Johnson, Jr.**

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 September 6, 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. Historic Preservation Commission
(new Commission, 7 members)**

No. 8 PUBLIC HEARINGS:

- A. AMENDMENT OF EXETER ZONING MAP: 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. LIQUOR LICENSE TRANSFER: Application for Transfer of Class B Victualer as a corporation for the establishment located at 273 Nooseneck Hill Road, described as Plat 79 Block 2 Lot 12, as advertised and noticed**

**From: Pokraka Enterprises, Inc.
d/b/a J.P.'s Exeter Pub
Bernard J. Pokrara**

**To: Arcadia Tavern, Inc.
Gregory Mastors
802 Hopkins Hill Road
West Greenwich, RI 02817**

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. EXETER JOB CORPS CENTER LIAISON REPORT: Town Council
President William J. Devanney**
- M. JUVENILE HEARING BOARD REPORT: Town Sergeant
Richard S. Brown***
- N. TOWN COUNCIL ASSISTANT'S REPORT: Town Council
Assistant Kenneth G. Findlay***
- O. 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 9/6/05 (waiting for State enabling legislation)**
- G. EXETER AFFORDABLE HOUSING PLAN: Revision and Correction of Deficiencies, continued from 9/6/05**
- H. AMENDMENT OF 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, continued from 9/6/05**
- I. PLANNING BOARD REQUEST: Formation of Waste Water Management District at Ladd Center for Monitoring all ISDS and Adoption of Proposed Ordinance, continued from 9/6/05**
- J. ZONING VIOLATION AND ORDER TO CEASE AND DESIST: Vernon and Patricia Ann Lawrence, 44 Nelson Drive – Status Report, continued from 9/6/05**

No. 11 NEW BUSINESS:

- A. ADOPTION OF RESOLUTION: Urging the General Assembly to enact Legislation that would impose restraint on the exercise of Eminent Domain by municipalities for private developers for the purpose of improving tax revenue or expanding a tax base**
- B. ADOPTION OF RESOLUTION AND SIGNING OF INSTALLMENT PURCHASE AGREEMENT: Adoption of Resolution and Authorization for Signing of installment agreement by Town Council President Devanney for lease/purchase of International 37,000 GVW Truck with Tenco Body and Stetco Catch Basin Cleaner with Municipal Services Group, Inc.**
- C. BOONE LAKE MANAGEMENT/MAINTENANCE DISTRICT**
- D. PAYMENT OF INVOICE: \$4,800 for Screening Level Assessment of Alternative Development for Route 2/Ladd Center Area**
- E. PLANNING BOARD REQUEST: Joint Public Hearing to adopt the Affordable Housing Plan, as approved by the RI Department of Administration**

- No. 12 **BILLS, APPROPRIATIONS, ABATEMENTS***
- No. 13 **COMMUNICATIONS***
- No. 14 **OTHER BUSINESS:**
 - A. **SCHEDULE OF OCTOBER MEETINGS AND EVENTS***
 - B. **REYNOLDS CHARITABLE TRUST: Approval of Vouchers***
 - C. **POLE PETITIONS: Verizon and Narragansett Electric***
 - 1. **Gardner Road**
 - 2. **Yawgoo Valley Road**
 - 3. **Kingston Road**
- No. 15 **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. 16 **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 10/03/05**
 - B. **Schedule of September Meetings and Events**
 - C. **Abatements, dated 9/29/05**
 - D. **Reports**

1. **Town Clerk's Report, dated 9/30/05**
2. **Probate Report, dated 9/26/05**
3. **Treasurer's Report, dated 10/03/05**
4. **Tax Collectors's Report, Remittances and Abatements, dated 10/03/05**
5. **Animal Control Officer's Reports**

E. COMMUNICATIONS:

1. **September 6, 2005 – Letter of Governor Donald Carcieri and Lieutenant Governor Charles Fogarty regarding donations to Charitable organizations for Hurricane Katrina relief**
2. **September 7, 2005 - Letter of Bruce A. Lowe, Jr. to Senator Kevin Breene regarding traffic safety issues along the 4 mile stretch of Route 2 from the North Kingstown line through Exeter to the South Kingstown line**
3. **September 8, 2005 – Letter of US Census Bureau with 2006 Boundary and Annexation Survey**
4. **September 8, 2005 – Memorandum of RIDOT Financial Management Section regarding implementation of new accounting system and new procedures**
5. **September 9, 2005 – RIDEM Insignificant Alteration Permit of Peter Castriotta for the property located 40' south of Oak Hill Road and 50' southeast of the intersection of Pinecrest Drive described as Plat 51 Lot 18 & 19**
6. **September 9, 2005 – Memorandum of RI Department of Health With final copy of the *Rules and Regulations Pertaining to Smoke-Free Public Places and Workplaces*, effective 9/1/05**
7. **September 9, 2005 – Benefits Unlimited *Benefits InfoSource* July/August 2005 Newsletter**
8. **September 12, 2005 – Memorandum of RI Department of Health With *Rules and Regulations Related to the Collection of Bodily Substances for Criminal Identification Purposes*, effective 9/13/05**

9. **September 13, 2005 – Letter of Alhambra Building Company regarding final payment**
10. **September 14, 2005 - Letter of Sharon A. Pelsler, EWG High School School Improvement Team Co-Chair requesting assistance from the West Greenwich and Exeter Public Works Department for wood chipping and gravel to complete extended parking area at EWG High School**
11. **September 14, 2005 – Resolution of the Town of Little Compton urging the RI General Assembly to enact legislation imposing a restraint on the exercise of eminent domain for the purpose of expanding the tax base or economic development by private developers**
12. **September 15, 2005 – Stormwater Workshop Registration Package from Comprehensive Environmental, Inc. for 9/27/05 seminar in Westford, MA and 10/4/05 in Taunton, MA**
13. **September 16, 2005 - Letter of Statewide Planning Program allowing request for \$20,000 for CDBG Program for purchase of new building for South County Community Action**
14. **September 16, 2005 – Memorandum of RIEMA regarding National Weather Advisory for Tropical Storm Ophelia**
15. **September 19, 2005 - Letter of Glocester Town Council with Resolution in support of action that will exempt the fuel tax placed upon the taxpayers of RI**
16. **September 19, 2005 – Resolution of the South Kingstown Town Council urging the General Assembly to enact legislation that would impose restraint on the exercise of eminent domain for the purpose of expanding a tax base or economic development by private developers**
17. **September 19, 2005 – RI Chapter American Red Cross Fall 2005 Newsletter**
18. **September 19, 2005 – Legal Notice for Promulgation of Rules for Amendment by RI State Labor Relations Board to Section 1.00 through Section 14.01**

19. **September 20, 2005 – Letter of Robert Mageau requesting to appear before the Town Council to explain and show pictures regarding erosion at the construction site across from his home on West Shore Drive**
20. **September 20, 2005 – Benefits Unlimited *eBenefits* October 2005 Newsletter**
21. **September 20, 2005 - Letter of Blue Cross Blue Shield of RI regarding medicare eligible employees and retirees and drug coverage plan**
22. **September 20, 2005 – Letter of Reynolds Charitable Trust Committee Chair Paul A. Ward confirming that Committee Member Mary Ellen Thurber was appointed to be their representative on the Affordable Housing Committee**
23. **September 23, 2005 - Letter of National Grange Mutual Insurance Co. with notice of claim for Leslie Bryant for damage to vehicle caused by culvert on Partridge Drive**
24. **September 23, 2005 - Letter of RIEDC Executive Director Michael McMahon regarding funding for the Community Economic Development Program**
25. **September 26, 2005 – Letter of Department of Administration Director Beverly E. Najarian regarding future collaboration of the Exeter Planning Board and Exeter Economic Development Commission to explore economic development opportunities along Route 2 and at Ladd Center**
26. **September 26, 2005 – Office of Municipal Affairs Municipal Salary Survey for 2005**
27. **September 28, 2005 – Memorandum of Zoning Board Chair William P. Monahan regarding application of 10/5/04 amendment to the zoning ordinance Section 2.4.3 entitled Flexible Lot Frontage and Width**
28. **September 28, 2005 – Letter of Home & Hospice Care of RI thanking Exeter for its continued support and requesting 2005 Award of \$250**
29. **September 28, 2005 – Resolution of the Town of North Kingstown with Resolution urging the General Assembly to enact legislation that would impose restraint on the exercise of eminent domain**

for the purpose of expanding the tax base or economic development by private developers

30. September 29, 2005 – Letter of Alhambra Building Company referencing their 9/12/05 letter and requesting Town Council response
31. September 29, 2005 - Letter of Arcaro, Belilove & Kolodney Representing RI Distributing Co., Charles Fradin, Inc. and Wayne Distributing Co. objecting to the liquor license transfer From Pokraka Enterprises, Inc. to Arcadia Tavern, Inc. as there is indebtedness to the referenced distributors
32. September 29, 2005 - Letter of McLaughlin & Moran objecting to the liquor license transfer from Pokraka Enterprises, Inc. to Arcadia Tavern, Inc. as there is indebtedness to the distributor
33. September 29, 2005 – Letter and Resolution of the Town of Coventry demanding public hearings in both the Senate and House of Representatives in Congress focusing on the source of record gas prices and record profits of oil companies and whether they are guilty of price-gouging
34. September 29, 2005 – USDA Rural Development announcement for 2007 Farm Bill Forum, 10/14/05, 9:00 a.m., URI Coastal Institute
35. September 30, 2005 – *Citizens Investment Perspectives* Fall 2005 Newsletter
36. September 30, 2005 – Letter of World War II Memorial Commission of RI requesting a contribution
37. September 30, 2005 – Letter of Gail Schoeninger requesting reimbursement for cost of tire destroyed after hitting pothole on Liberty Road

No. 14 B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers

C. POLE PETITIONS: Verizon and Narragansett Electric

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.