

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

**JULY 3, 2006
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 6, 7, 8, 9 & 10)**

No. 5 APPROVAL OF MINUTES:

- A. Town Council Meeting of June 5, 2006**
- B. Executive Session of June 5, 2006**

No. 6 APPROVAL OF AGENDA ORDER

No. 7 APPOINTMENTS AND VACANCIES:

A. VACANCIES:

- 1. Board of Assessment Review Alternate
(term of Richard DiCicco)**
- 2. Personnel Board Members
(5 Members to replace prior Board)**

3. **Conservation Commission**
4. **Affordable Housing Advisory Board
(1 At-Large Member)**
5. **Juvenile Hearing Board
(replacement for John Grasso)**

B. APPOINTMENTS:

1. **Reynolds Charitable Trust Committee Member
(Replacement for James Wheaton)**
2. **Historic Preservation Commission
(new Commission, 7 members)**
3. **Planning Board**
 - a. **J. Michael Abbott, Member
expires 7/2006)**
 - b. **Thomas Cardillo, Alternate
(expires 7/2006)**
 - c. **Kathleen M. Staley, Alternate
(expires 7/2006)**
4. **Zoning Board of Review**
 - a. **Kathleen Ward-Bowen, Member
(expires 7/2006)**
 - b. **Ruth Waterman, Alternate
(expires 7/2006)**

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. **ECONOMIC DEVELOPMENT COMMISSION LIAISON'S REPORT:
Town Council President William J. Devanney, DDS***

- E. SCHOOL DISTRICT LIAISON REPORT: Town Council Member Ross L. Aker***
- F. TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP***
- G. PUBLIC WORKS DEPARTMENT COORDINATOR'S REPORT: Town Council Member Wayne E. Cross***
- H. ANIMAL CONTROL COORDINATOR'S REPORT: Town Council Vice President Diane B. Allen***
- I. TAX ASSESSOR'S REPORT: Tax Assessor Wendell W. Wilkie, RICA***
- J. FIRE DISTRICT/PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON REPORT: Town Council Member Robert E. Johnson, Jr.***
- K. EMERGENCY MANAGEMENT REPORT: Director Robert Franklin and Assistant Director Thomas S. McMillan***
- L. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL REPRESENTATIVE'S REPORT: Town Council Member Ross L. Aker***
- M. EXETER JOB CORPS CENTER LIAISON REPORT: Town Council President William J. Devanney, DDS***
- N. JUVENILE HEARING BOARD REPORT: Town Sergeant Richard S. Brown***
- O. TOWN COUNCIL ASSISTANT'S REPORT: Town Council Assistant Kenneth G. Findlay***
- P. SOLICITOR'S REPORT: James P. Marusak, Esq. of Gidley, Sarli & Marusak**

No. 9 UNFINISHED BUSINESS:

- A. EXETER VETERANS' MEMORIAL COMMITTEE: Commission of Monument to Exeter's Veterans**
- B. OLD TOWN HALL/WOODY HILL SCHOOL: Roof Repairs and Awarding of contract, continued from 6/05/06**
- C. HISTORIC PRESERVATION**

- D. **PLANNING BOARD REQUEST: Formation of Waste Water Management District at Ladd Center for Monitoring all ISDS and Adoption of Proposed Ordinance, continued from 6/05/06**
- E. **PLANNING BOARD RECOMMENDATION: Zoning Ordinance Amendment for Mixed Use Commercial Developments (2/16/06 letter of Town Planner David Schweid), continued from 6/05/06**
- F. **PLANNING BOARD RECOMMENDATION: Zoning Ordinance Amendment for Low and Moderate Income Housing Comprehensive Permit Procedures (2/16/06 letter of Town Planner David Schweid), Continued from 6/05/06**
- G. **RECALL PETITION: Ordinance Stabilizing Taxes of Elderly Residents, Special Election Scheduled for July 5, 2006, continued from 6/05/06**
- H. **EXETER JOB CORPS ACADEMY: RIDEM Notice of Non-Compliance ISDS (Wastewater) Treatment Facility, ISDS Application No. 0011-2563, continued from 6/05/06**
- I. **ACCESS TO MISKIANA TRAIL VIA STATE PROPERTY ALONG ROUTE 2, continued from 6/05/06**

No. 10 NEW BUSINESS:

- A. **AWARDING OF BIDS:**
 - 1. **Overlaying of Town Roads**
 - 2. **4x4 Regular Cab Pickup with Utility Service Body and 9' Snow Plow**
 - 3. **2.0 Yard Wheel Loader**
- B. **PROCEED TO BID:**
 - 1. **Exeter Public Library Construction Project For Signage and Site Lighting using Transportation Enhancement Act (TEA) Grant Funding**
- C. **PROCEED TO PUBLIC HEARING:**
 - 1. **AMENDMENT OF EXETER CODE OF ORDINANCES: Chapter 34 Solid Waste, Transfer Station Fees and Schedules**
 - 2. **AMENDMENT OF THE EXETER ZONING ORDINANCE:**

- a. **Mixed Use Commercial Development – Sec. 4.6 and addition of definition to Section 1.2 and Zoning Use Table Sec. 2.4**
 - b. **Authority to Grant A Comprehensive Permit – Sec. 1.4 to Article I**
- 3. **AMENDMENT OF THE EXETER ZONING MAP: Application of Shon Cuthill, 350 South County Trail, Plat 72 Block 6 Lot 8 From RU-4 to Business**
- D. **EXETER VOLUNTEER FIRE DEPARTMENT NO. 1: Request for Class F1 Special Event Liquor License for Annual Clambake, Sunday, August 13, 2006, 11:00 a.m. to 8:00 p.m., Exeter Volunteer Fire Department, 305 Ten Rod Road**
- E. **EXETER BOARD OF CANVASSERS: Pre-Authorization for Expenditure of \$2,810 for Poll Worker stipends, meals, and expenses For Special Recall Election on July 5, 2006**
- F. **VICTUALING LICENSE APPLICATION: Fee: \$25.00 Sophie’s Coffee, John and Christy Hammond, 705 South County Trail (formerly held by Matthew Schartner)**
- G. **EXETER HOME RULE CHARTER REVIEW COMMISSION: Submission of Findings and Recommendations**
- H. **STIPEND COMPLAINT: Francis P. DiGregorio vs. Wayne E. Cross**
- I. **STIPEND COMPLAINT: Francis P. DiGregorio vs. William J. Devanney, DDS**
- J. **STIPEND COMPLAINT: Francis P. DiGregorio vs. Diane B. Allen**
- K. **JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio vs. William J. Devanney, DDS**
- L. **JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio vs. Wayne E. Cross**
- M. **CHARTER VIOLATION COMPLAINT: Francis P. DiGregorio, With Additional Charge for removal from Agenda of Original Stipend Complaint, letter of June 26, 2006**

- No. 11 **BILLS, APPROPRIATIONS, ABATEMENTS***
- No. 12 **COMMUNICATIONS***
- No. 13 **OTHER BUSINESS:**
 - A. **SCHEDULE OF JULY MEETINGS AND EVENTS***
 - B. **REYNOLDS CHARITABLE TRUST: Approval of Vouchers
And Signing of Documents***
 - C. **ACKNOWLEDGEMENTS***
 - 1. **EWG High School Class of 2006: Abbie Whitford, Winner of
the DeKalb Agricultural Accomplishment Award sponsored by
the Monsanto Company**
- No. 14 **EXECUTIVE SESSION**
 - A. **CURRENT LITIGATION**
 - B. **EXETER-WEST GREENWICH SCHOOL DISTRICT**
 - C. **LADD CENTER/JOB CORPS**
 - D. **LABOR UNION/CONTRACT NEGOTIATIONS**
 - E. **PERSONNEL ISSUES**
 - F. **STIPEND COMPLAINT: Francis P. DiGregorio vs.
Wayne E. Cross**
 - G. **STIPEND COMPLAINT: Francis P. DiGregorio vs.
William J. Devanney, DDS**
 - H. **STIPEND COMPLAINT: Francis P. DiGregorio vs.
Diane B. Allen**
 - I. **JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio
vs. William J. Devanney, DDS**
 - J. **JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio
vs. Wayne E. Cross**
 - K. **CHARTER VIOLATION COMPLAINT: Francis P. DiGregorio,
With Additional Charge for removal from Agenda of Original Stipend**

Complaint, letter of June 26, 2006

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 7/03/06**
- B. Schedule of July Meetings and Events**
- C. Abatements, dated 6/30/06**
- D. Reports**
 - 1. Town Clerk's Report, dated 6/30/06**
 - 2. Probate Report, dated 6/26/06**
 - 3. Treasurer's Report, dated 7/03/06**
 - 4. Tax Collectors's Report, Remittances and Abatements, dated 7/03/06**
 - 5. Animal Control Officer's Reports**
- E. COMMUNICATIONS:**
 - 1. 06/05/06 Application from James Drew for Board of Assessment review.**
 - 2. 06/05/06 Letters from John S. Bartolini, Phyllis Donnelly and Michael Zaborski regarding a Rotweiler Dog owned by Rob and Kelly Young.**
 - 3. 06/05/06 Letter from Mark Bombard, Century 21 requesting information on Affordable Housing Advisory Board.**
 - 4. 06/06/06 RI Resource Recovery Corp. demonstration of the new Re-TRAC database on Friday June 23, 2006.**
 - 5. 06/07/06 Resolutions regarding the elimination of MTBE as a gasoline additive, Senate Bill 2006-S2049.**

6. **06/07/06 Resolutions regarding supporting legislations requiring utilities to pay for relocation of infrastructure.**
7. **06/07/06 Resolutions opposing passage of General Assembly of House Bill 2006-H 7280, relating to Statutes and Statutory Construction – Publication and Distribution of Acts.**
8. **06/07/06 Resolutions Chapter 16-7-1, Section 16-7-1-15 from Providence and Glocester, RI relating to Education.**
9. **06/07/06 Resolutions from Providence endorsing passage of House Bill 2006-H 7249, boycotting Exxon Mobile Corp.**
10. **06/07/06 Resolutions from Providence and Burrillville in support of in General Laws in Chapter 16-7, Section 16-7-44., relating to Education.**
11. **06/07/06 Resolution from Providence and South Kingstown on Pension and Post Retirement Health Care Reforms.**
12. **06/07/06 Update on proposed Legislation on property taxes.**
13. **06/09/06 Letter from Joseph H. Deslandes, Jr., requesting the Alternate Position on the Board of Assessment Review.**
14. **06/12/06 Fax from DEM notifying the town that they are no longer collecting sick of dead birds as part of the WNV surveillance program.**
15. **06/12/06 State of RI, Office of Housing and Community Development, draft of the affordable housing plan.**
16. **06/12/06 Letter from Sec. of State's Office that the Town of Exeter will be receiving a grant for \$1,200 for the purchase of shelving and archival boxes.**
17. **06/12/06 Cheryl Chorney applied for the Sec. of State's Office grant for \$1,200 in May to improve the conditions in the vault.**
18. **06/13/06 The House Finance Committee with the lists of passed FY '07 Education Aid and General Aid allocations by communities.**

19. **06/14/06** Letter from Jason C. Whitford apologizing for his missed interview and he is requesting another date.
20. **06/14/06** Summary from Dan Beardsley on legislature's proposed FY '07 which affect cities and towns.
21. **06/15/06** Entry Form & Contest Rules from South County Tourism Council asking for photography that capture the essence of South County.
22. **06/15/06** Letter from Katherine L. Boden thanking the Town for her Emily J. Anthony Scholarship.
23. **06/15/06** Notice from Dan Beardsley on amendments to Article 19 increasing Education Aid, Town Council is invited to a meeting on 06/19/06 to discuss this issue.
24. **06/16/06** Life Line Screening is holding a health screening on July 11, 2006 at the American Baptist Church of RI.
25. **06/16/06** Resolution from Town of Burrillville on real estate property tax relief.
26. **06/16/06** Resolution from the Town of Richmond against legislation that requiring Cities and Towns to purchase the RI General Laws.
27. **06/16/06** Notice from Dan Beardsley , RI League of Cities and Towns of contribution rate for Teachers Retirement System.
28. **06/16/06** Correction from Dan Beardsley on Teachers Retirement System.
29. **06/19/06** Letter from Francis P. DiGregorio requesting minutes and tape recording.
30. **06/19/06** Invitation to a RI Rail Security Forum to be held on June 28, 2006 at the Radisson Hotel in Warwick, RI.
31. **06/21/06** Exeter Volunteer Fire Dept. No. 1, requesting, Class F 1 Liquor License for their annual Clambake on Sunday, August 13, 2006.
32. **06/21/06** Notice from Dan Beardsley, RI League of Cities and Towns on passed legislation on the tax levy.

33. 06/21/06 Memo from the Town of Barrington on the late-minute decreases made by the General Assembly on State Aid for Education.
34. 06/21/06 Petition against the use of Calcium Chloride & Pavement of Summit Road, Exeter, from residents.
35. 06/21/06 Narragansett Bay & Watershed Restoration Grant fact sheet and application.
36. 06/21/06 REAP Savings Report for May from RI League of Cities & Towns.
37. 06/21/06 Memo from Thomas McMillan on proposed language changes of the Charter.
38. 06/23/06 Letter from The Trust regards to a claim from MetLife Auto & Home.
39. 06/23/06 Letter from the Attorney Generals Office on Open Government Summit, at Roger Williams University School of Law, August 4, 2006.
40. 06/23/06 RIC's Bureau of Government Research and Services releases results of fifth statewide issues survey.
41. 06/23/06 General and Education Aid by category, School Housing Aid and Library Aid entitlements as prepared by the office of the Senate Fiscal Advisor.
42. 06/26/06 Letter from Francis P. DiGregorio for Correspondence, also Agenda Item #10 I. Town of Exeter Charter Violation.
43. 06/27/06 Letter from J.H Lynch & Sons, Inc. regarding the bid for overlaying of town roads.
44. 06/27/06 Request from Rose Spadola for payment of the Exeter Summer Recreation program of 2006.
45. 06/29/06 Letter from Arthur Jordan, Local Union 1322 requesting a meeting.
46. 06/30/06 Letter from Vincent F. Ragosta, Jr., Esq. responding to letter of Arthur Jordan

47. 06/30/06 Letter of Donald M. Gregory, II, Esq. on behalf of Shon Cuthill requesting a public hearing for amendment of the Exeter Zoning Map for Plat 72 Block 6 Lot 8 from RU-4 to Business

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.