

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

NOVEMBER 6, 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 Ross L. Aker**

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 7, 8, 9, 10 & 11)

No. 5 APPROVAL OF MINUTES:

A. Town Council Meeting of October 2, 2006

B. Special Town Council Meeting of September 16, 2006

C. Executive Session of October 2, 2006

No. 6 APPROVAL OF AGENDA ORDER

No. 7 APPOINTMENTS AND VACANCIES:

A. VACANCIES:

1. Personnel Board Members

(5 Members to replace prior Board)

2. Conservation Commission

B. APPOINTMENTS:

**1. Reynolds Charitable Trust Committee Member
(Replacement for James Wheaton)**

No. 8 PUBLIC HEARINGS:

**A. LIQUOR LICENSE RENEWALS: December 1, 2006 to
November 30, 2007, as advertised**

1. Class A

a. Exeter Wine & Spirits, Inc. 1, 2

Exeter Package Store

Bruce J. McKenna & Richard J. Fineberg

254 Nooseneck Hill Road

b. Wolf Rock Wine & Spirits 1

Wolf Rock Wine & Spirits, Inc.

Terrence D. and Donna J. C. Stringer

804 South County Trail

2. Class B Victualers

a. Ski Pro, Inc. 1, 2

Maxwell deWardener

160 Yawgoo Valley Road

b. Yawgoo Bakes & Barbeques, Inc. 1, 2

Patricia Murray & Lynn Patty

555 Slocum Road

c. Exeter Country Club, Inc. 1, 2

Peter Hendrick

320 Ten Rod Road

d. Arcadia Tavern, Inc. 1, 2, 3, 4

Gregory Mastors

273 Nooseneck Hill Road

e. Homestead Restaurant 1, 2

MST, Inc.

Mathew Thole

750 South County Trail

f. South County Tavern 1, 2, 3

Evelyn M. Byron

570A Nooseneck Hill Road

g. Celestial Café, LLC 1, 2, 3

Cheryl A. Zannella

567 South County Trail, Unit #1

h. Caspita Italian Eatery 1, 2

Caspita, Inc.

William A. Andrews

567 South County Trail, Unit #109

3. Class B Limited

a. Town Pizza of Exeter & Restaurant, Inc. 1, 2

Helen Hantzopoulos

250 South County Trail

b. Middle of Nowhere Diner 1, 2

Neil White

222 Nooseneck Hill Road

c. Little Country Pizza 1, 2

Little Country Pizza, Inc.

Vera Boutros

349 Nooseneck Hill Road

1=Liquor License

2=Victualing License

3=Dance License

4=After Hours License

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 20 Block 4 Lot 12, as advertised and noticed

FROM: Arcadia Tavern, Inc., Gregory C. Mastors

**TO: Baird Beverages, LLC, d/b/a Wild Bill's, Michael P. Baird of
2172 Plainfield Pike, Coventry, RI 02827**

C. LIQUOR LICENSE CAP (13)

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. 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. RI RAIL SECURITY WORK GROUP LIAISONS' REPORT:
Town Sergeant Richard S. Brown and Constable Scotte Miller**

**P. TOWN COUNCIL ASSISTANT'S REPORT: Town Council
Assistant Kenneth G. Findlay***

**Q. SOLICITOR'S REPORT: James P. Marusak, Esq. of Gidley,
Sarli & Marusak**

No. 10 UNFINISHED BUSINESS:

**A. EXETER VETERANS' MEMORIAL COMMITTEE: Commission
of Monument to Exeter's Veterans**

B. HISTORIC PRESERVATION

**C. ACCESS TO MISKIANA TRAIL/CONVEYANCE OF
QUANATUMPIC PICNIC GROVE, continued from 10/2/06**

**D. EXETER EMERGENCY SHELTER TO BE LOCATED AT EXETER
JOB CORPS ACADEMY, continued from 10/2/06**

- 1. Town Owned Generator to be Purchased through Grant Funding**
- 2. Memorandum of Understanding (ownership of generator)**

No. 11 NEW BUSINESS:

A. DEER BROOK DEVELOPMENT CORPORATION: Final Engineering Plans determination of Consistency

B. RELEASE OF BOND: Leo Antonino, Jr. of Ocean State Auto Auction, as work is now complete

C. RECYCLING GRANT PROGRAM: Receipt of \$5,711.19 from RIRRC

For achieving 22% recycling for 12 month period

D. TRAFFIC CONDITIONS ALONG ROUTE 2

E. STIPEND COMPLAINT: Francis P. DiGregorio vs. Wayne E. Cross

F. STIPEND COMPLAINT: Francis P. DiGregorio vs. William J. Devanney, DDS

G. STIPEND COMPLAINT: Francis P. DiGregorio vs. Diane B. Allen

**H. JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio
vs. William J. Devanney, DDS**

**I. JULY 5, 2006 REFERENDUM COMPLAINT: Francis P. DiGregorio
vs. Wayne E. Cross**

**J. CHARTER VIOLATION COMPLAINT: Francis P. DiGregorio,
With Additional Charge for removal from Agenda of Original Stipend
Complaint, letter of June 26, 2006**

K. PUBLIC WORKS DEPARTMENT: Snow Plowing

**L. TRANSFER STATION CORRESPONDENCE #39: Request for
permission to use road for logging**

No. 12 BILLS, APPROPRIATIONS, ABATEMENTS*

No. 13 COMMUNICATIONS*

No. 14 OTHER BUSINESS:

A. SCHEDULE OF NOVEMBER MEETINGS AND EVENTS*

**B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers
And Signing of Documents***

C. POLE PETITION: Hallville Road – replace 29 ½ and 30 ½*

**D. APPROVAL OF TOWN COUNCIL METING SCHEDULE:
Calendar Year 2007 (January 1, 2007 to December 31, 2007)***

**E. BOARD OF CANVASSERS: Preauthorization for \$4,045.00 for
General Election November 7, 2006 for Poll Workers Wages
and meals***

F. VICTUALING LICENSE RENEWALS*

1. Sophie's Coffee

John and Christy Hammond

705 South County Trail

2. Exeter Variety

Kenneth L. Fernstrom

250C South County Trail

3. Wolf Rock Country Kitchen

Martin Emeno

806 South County Trail

4. Blueberry Hill Store

Jason Whitford
900 Ten Rod Road

5. Dunkin Donuts
Oak Harbor Donuts, Inc.
Frank Realgo
561B South County Trail

6. Wide Glide Cycles, LLC
Scott DeCastro
246 Nooseneck Hill Road

No. 15 EXECUTIVE SESSION

A. CURRENT LITIGATION

B. LADD CENTER/JOB CORPS

C. LABOR UNION/CONTRACT NEGOTIATIONS

D. PERSONNEL ISSUES

E. STIPEND COMPLAINT: Francis P. DiGregorio vs.
Wayne E. Cross

F. STIPEND COMPLAINT: Francis P. DiGregorio vs.

William J. Devanney, DDS

**G. STIPEND COMPLAINT: Francis P. DiGregorio vs.
Diane B. Allen**

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**J. CHARTER VIOLATION COMPLAINT: Francis P. DiGregorio,
With Additional Charge for removal from Agenda of Original Stipend
Complaint, letter of June 26, 2006**

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 11/06/06

B. Schedule of November Meetings and Events

C. Abatements, dated 11/06/06

D. Reports

1. Town Clerk's Report, dated 10/31/06

2. Probate Report, dated 10/23/06

3. Treasurer's Report, dated 11/06/06

**4. Tax Collectors's Report, Remittances and Abatements,
dated 11/06/06**

5. Animal Control Officer's Reports

E. COMMUNICATIONS:

**1. 09/29/06 Letter from Scott Avedisian Mayor of Warwick opposing
Question #1 on the casino.**

**2. 09/29/06 Letter from Ari Matusiak on the shortage of affordable
houses and apartments and reasons to vote yes on Question 9.**

**3. 09/29/06 Publication from the RI Public
Expenditure Council with impact charts on the states ability to fund**

essential services with the approval of Harrah's Casino in the State of RI.

4. 09/29/06 Invitation from RI Rural Development Council for a half day session by Kevin Flynn, RI Division of Planning 10/27/06.

5. 09/29/06 Notice from Meridian Operations on removing 575 scrap tires from 88 Black Plain Road.

6. 10/02/06 RI Rural Development Council half day forum on "Celebrating Rural Villages" 10/27/06.

7. 10/02/06 The Commission on Historical Cemeteries is seeking representatives to serve on their board.

8. 10/03/06 US Department of Commerce, U.S. Census Bureau requesting 2007 Boundary and Annexation Survey Materials.

9. 10/03/06 Clean Water Action asking the Town of Exeter to consider passing a resolution regarding Mercury in Fish.

10. 10/04/06 RI Ethics Commissions Proposed Regulations on nepotism.

11. 10/05/06 Letter from Siegmund Environmental

Services, Inc with our service and maintenance contract.

12. 10/05/06 Governor Carcieri is holding a Safe School Summit, 10/10/06 at Community College of RI to discuss school safety in wake of recent school shootings.

13. 10/05/06 Invitation to Southern RI Conservation District 2006 Annual Dinner 10/26/06. Harry Records and Scott Millar will receive Conservation awards.

14. 10/06/06 Conference on 10/17/06 on reducing healthcare costs.

15. 09/14/06 RI Dept. of Environmental Management introduction of RIDEM's new government liaison.

16. 10/06/06 Town of South Kingstown with copies of advertisements for Public Hearings to proposed Zoning Ordinance pertaining to Special Use Permits.

17. 10/06/06 Announcement of new services to municipalities from Comprehensive Environmental Incorporated.

18. 10/06/06 Letter from RI Statewide Independent Living Council asking for the activation of the "AutoMark" ballot machine as soon as the polls are open on Election Day.

- 19. 10/06/06 WCRPC July, 2006 board meeting minutes and agenda for the October 19 meeting.**
- 20. 10/06/06 Copy of a letter that went home to all EWG Students in light of the recent occurrences of school shootings.**
- 21. 10/10/06 Letter from DEM on the 03/16/04 Site Investigation of the Exeter Town Landfill #2 located off Victory Highway in Exeter.**
- 22. 10/11/06 The American Red Cross is conducting a “Home Fires Campaign” to raise awareness of it’s danger.**
- 23. 10/11/06 The Trust is offering a DDC-4 Defensive Driving Course to develop safe, defensive driving habits and attitudes.**
- 24. 10/11/06 EWG Youth Football & Cheerleading is requesting funding for the 2006/2007 budget year.**
- 25. 10/12/06 Reynolds Trust Committee with their Annual Report and Voucher Approval Form to be signed.**
- 26. 10/13/06 Agenda for the October 17, 2006 RI Emergency Management Advisory Council.**

27. 10/16/06 USI Insurance with a benefit newsletter.

28. 10/16/06 RI Statewide Planning Council with a draft comprehensive solid waste management plan.

29. 10/16/06 Letter from The Trust with revised Property/Liability Insurance certificate for the Policy Year beginning 07/01/06 and ending 06/30/07.

30. 10/16/06 Resolutions opposing a Casino in W. Warwick and Supporting Affordable Housing Bonds from the Town of Barrington.

31. 10/16/06 Resolution from the East Greenwich Chamber of Commerce in opposition to the expansion of gambling in RI.

32. 10/16/06 Letter from the Insurance Services Office, Inc. thanking Ron DeFrancesco for his cooperation with the completion of our analysis of the building codes adopted by your community and the efforts put forth to enforce those codes.

33. 10/16/06 DEM is accepting and reviewing writer comments on proposed dam safety regulations for all dams within the state of RI.

34. 10/17/06 Letter to Melissa A, Sousa, The Trust Claims Rep. with Summons and Complaint, Claimant #010373-027156-AB-01 and AD-01.

35. 10/18/06 Letter seeking nominations for the 2007 RI Small Business Awards.

36. 10/19/06 REAP September monthly savings report.

37. 10/19/06 Panelist Presentation on Transfer of Development Rights Research & Its Application in New England, 11/30/06 at the Hilltop Inn in North Stonington, Ct.

38. 10/20/06 Resolution from the City of East Providence which seeks repeal of RI Special Education Laws which are more restrictive than Federal Laws.

39. 10/20/06 Jason C. Whitford seeking permission to access the old Transfer Station for the purpose of trucking pine logs off his property.

40. 10/24/06 Scholarship and Safety Enhancement Grant Program Applications from The Trust deadline 12/15/06.

41. 10/24/06 The Rhode Island Foundation urging people to Vote Yes on ballot question 9 in the general election.

42. 10/27/06 Resolutions adopted by the Town of South Kingstown in support of State Bond Referendum Quest #4 Higher Education Bonds and State Bond Referendum #9 Affordable Housing Bond.

43. 10/31/06 Letter from the Comprehensive Environmental Inc. on the feasibility of Stormwater Utilities.

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.