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

APRIL 7, 2008
7:15 P.M.

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

No. 1 PLEDGE OF ALLEGIANCE: Town Council President Calvin A. Ellis

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 8, 9, 10, 11, 12 & 13)

No. 5 ACKNOWLEDGEMENTS:

A. "Armenian Genocide Remembrance Day" April 24, 2008 (April Communication #29)

B. Exeter Public Library Director Amy Neilson

No. 6 APPROVAL OF MINUTES:

A. Town Council Meeting of March 3, 2008
B. Town Council Meeting of March 6, 2008
C. Town Council Meeting of March 31, 2008
D. Town Council Meeting of April 3, 2008
E. Executive Session of March 3, 2008
F. Executive Session of March 31, 2008
G. Executive session of April 3, 2008

No. 7 APPROVAL OF AGENDA ORDER

No. 8 APPOINTMENTS AND VACANCIES:

A. VACANCIES

1. Personnel Board Members
(5 Members to replace prior Board)

2. Conservation Commission

3. Economic Development Commission

B. APPOINTMENTS

1. Municipal Space Needs Committee

2. Tax Collector's Clerk

C. EXPIRING TERMS:

1. Juvenile Hearing Board - 2
John Hall and William Gallagher (exp. 3/2008)

No. 9 PUBLIC HEARINGS:

A. AMENDMENT OF EXETER ZONING ORDINANCE: Section 2.4.2 Dimensional Regulations – add 2.4.2.10 Maximum Retail Building and Footprint and Section 1.2 Definitions – add 1.2.33 Gross retail footprint, continued from 3/03/08

B. LIQUOR LICENSE APPLICATION: <u>Class B Victualer</u>
Gashy Dowlatshahi, 561 A South County Trail, Exeter, RI 02822 D/B/A Gashy's to be located at Plat 72 Block 2 Lot 10 South County Trail, Exeter, RI 02822, as advertised and noticed, Continued from 3/03/08

C. LIQUOR LICENSE CAP (12), continued from 3/03/08

D. OUTDOOR ENTERTAINMENT LICENSE APPLICATION: Southern New England Truck Pullers Association, P.O. Box 334, West Kingston, RI 02892, to be held on a portion of Reynolds Field, South Road, Exeter also described as Plat 62 Block 3 Lot 1, as advertised and noticed

E. COMMUNITY DEVELOPMENT BLOCK GRANT: 2nd Public Hearing for FY 2008-2009 CDBG Application

F. TOWN COUNCIL PRIORITIZATION OF ACTIVITIES AND AUTHORIZATION TO APPLY

No. 10 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. TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP

D. TAX ASSESSOR'S REPORT: Tax Assessor Tammy Boss

E. EXETER WELFARE DEPARTMENT REPORT: Director of Public Welfare Sylvia J. Curry

F. JUVENILE HEARING BOARD COORDINATOR'S REPORT: Town Sergeant Richard S. Brown

G. EMERGENCY MANAGEMENT REPORT: Director Scott G. Kettelle and Assistant Director Thomas S. McMillan

H. FIRE DISTRICT/PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON'S REPORT: Town Council Vice President Robert E. Johnson, Jr.

I. PUBLIC WORKS DEPARTMENT COORDINATOR'S REPORT: Town Council Vice President Robert E. Johnson, Jr.

J. LABOR RELATIONS, NEGOTIATIONS AND PERSONNEL LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom

K. ANIMAL CONTROL COORDINATOR'S REPORT: Town Council Member Kenneth L. Fernstrom

L. EXETER JOB CORPS ACADEMY LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom

M. TRANSFER STATION COORDINATOR'S REPORT: Town Council Member William P. Monahan

N. ECONOMIC DEVELOPMENT COMMISSION LIAISON'S REPORT: Town Council Member William P. Monahan

O. EXETER-WEST GREENWICH SCHOOL DISTRICT LIAISON'S REPORT: Town Council Member Donald R. Staley

P. EXETER PUBLIC LIBRARY LIAISON'S REPORT: Town Council Member Donald R. Staley

Q. FINANCIAL COORDINATOR'S REPORT: Town Council President Calvin A. Ellis

R. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL REPRESENTATIVE'S REPORT: Town Council President Calvin A. Ellis

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

T. TOWN CLERK'S REPORT: Town Clerk Cheryl A. Chorney, CMC

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

No. 11 UNFINISHED BUSINESS:

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

B. HISTORIC PRESERVATION

C. SUBMISSION FROM STATE OF RHODE ISLAND: Ladd Center, continued from 3/03/08

D. BALD HILL NURSERY/SCHARTNER PROPERTY: Development Rights, continued from 3/03/08

E. MUNICIPAL SPACE NEEDS COMMITTEE, continued from 3/3/08

F. ICE RINK PROPOSAL, continued from 3/03/08

G. VILLAGE INNOVATION PILOT PROJECT, continued from 3/03/08

H. ANNUAL MEMORIAL DAY PARADE, continued from 3/03/08

I. EMPLOYEE CONTRACTS: Tax Collector and Tax Assessor, Continued from 3/03/08

J. PENSION BENEFITS, continued from 3/03/08

K. FEE IN LIEU OF OPEN SPACE FUNDS ($60,188.38), continued from 3/03/08

L. TOWN FINANCIAL AUDIT: Bids, continued from 3/03/08

M. DEER BROOK DEVELOPMENT CORPORATION

N. REUBEN BROWN LANE DRAINAGE ISSUES, continued from 3/03/08

O. EXETER CODE OF ORDINANCES: Article IV. Impact Fees, Continued from 3/03/08

P. HOME RULE CHARTER AMENDMENTS

Q. TAX EXEMPTIONS FOR LOW OR MODERATE INCOME HOME OWNERS, continued from 3/03/08

R. FY 08-09 BUDGET PREPARATION

S. STATUS OF TOWN'S BANK ACCOUNTS

T. EMILY J. ANTHONY FUND SCHOLARSHIPS

U. CERTIFIED REVALUATION COMPANY REQUEST: Remote Access to Town of Exeter Computer Network, continued from 3/31/08 (April Communication #36)

V. TAX ASSESSOR'S HOURS, continued from 3/06/08

No. 12 NEW BUSINESS:

A. ADOPTION OF RESOLUTION: Changing the date of the Regular Town Council Meeting from May 5, 2008 to May 12, 2008

B. RESOLUTIONS OF THE TOWN OF BURRILLVILLE:

1. **Resolution Supporting House Bill H7402 and House Bill H7261 – "An Act Relating to Taxation – RIGL §16-21.1-2 School bus districts established"**

2. **Resolution Supporting House Bill H7043 and Senate Bill S2107 – "An Act Relating to Education – RIGL §16-7-20.8 Extraordinary services reimbursement"**

3. **Resolution Supporting House Bill H7160 – "An Act Relating to Education – Residence of Children for School Purposes"**

4. **Resolution Opposing Senate Bill S2102 – "An Act Relating To Education Eligibility for Attendance"**

5. **Resolution Opposing Senate Bill S2103 – "An Act Relating To Education Athletic Directors"**

6. **Resolution Supporting Legislation – Amendments to RIGL §9-31-3 Limitation of Damages/Cities/Towns/Fire Districts**

7. **Resolution Relative to Implementation of RIGL §46-19-9 Inspection of Dams and Reservoirs**

C. PROPOSED AFFORDABLE HOUSING TRUST ORDINANCE COMPONENT OF THE INCLUSIONARY ZONING ORDINANCE

D. PLANNING BOARD RECOMMENDATION: One-Year Moratorium on all Class 1 Kennel Licenses

E. BOONE LAKE DAM MANAGEMENT DISTRICT ORDINANCE REVISION

F. PROCEED TO PUBLIC HEARING: "An Ordinance Relating to the Pro-Ration of Tax Assessments on New Construction"

1. **Adoption of "A Resolution Urging Passage of State Legislation Regarding Pro-Ration of Tax Assessments on New Construction"**

2. **Adoption of "An Act in amendment of Article 44 Chapter 5 of the General Laws, proposed RIGL §44-5-13.38 Assessment and taxation of new real estate construction in Exeter"**

G. PAYMENT OF $50,000 FOR EWG TRACK FROM IMPACT FEES ACCOUNT

H. PERSONNEL/NEGOTIATIONS

No. 13 BILLS, APPROPRIATIONS, ABATEMENTS*

A. BILL SHEET

B. ABATEMENTS

No. 14 COMMUNICATIONS*

No. 15 OTHER BUSINESS:

A. SCHEDULE OF APRIL MEETINGS AND EVENTS*

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

No. 16 EXECUTIVE SESSION

A. CURRENT LITIGATION

B. LADD CENTER/JOB CORPS

C. LABOR UNION/CONTRACT NEGOTIATIONS

D. PERSONNEL ISSUES

E. SUBMISSION FROM STATE OF RHODE ISLAND: Ladd Center

F. RICO CORP/DEER BROOK DEVELOPMENT CORP

G. SCHARTNER/BALD HILL PROPERTY

No. 17 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. Schedule of April Meetings and Events

B. Reports

1. Town Clerk's Report, dated 3/31/08

2. Probate Report, dated 3/24/08

3. Tax Collectors's Report, Remittances and Abatements, dated 4/07/08

4. Director of Public Works Report, dated 4/07/08

5. Animal Control Officer's Report, dated 4/07/08

C. COMMUNICATIONS:

1. 03/03/08 Letter from Senator Kevin Breene regarding signage at the intersection of Route 102 & Route 3.

2. 03/03/08 Letter from Blue Cross Blue Shield with renewal summary.

3. 03/04/08 RI National Guard Retirees Association is planning to build a memorial at the Veterans' Cemetery - donor brick order form attached.

4. 03/05/08 Email from Wayne Cross notifying the town of a program taking place in June where teens attend camp and go out into the community to help seniors with home repairs.

5. 03/06/08 DEM invitation to Wastewater 101 for Municipal Leaders – Performance & Priorities for Clean Water Infrastructure – 3/26/08.

6. 03/07/08 February REAP Report.

7. **03/07/08 Monthly report for Revenues through February from the House Fiscal Advisory Staff.**

8. **03/07/08 Letter from the Dept. of Health with a signed copy of our Medical Emergency Distribution System Program Municipality Deliverables.**

9. **03/10/08 RI Clean Water Finance Agency Questionnaire for a pooled wastewater bond issue in Dec. 2008**

10. **03/10/08 Letter from the Economic Development Corp. regarding creating higher wage job opportunities for Rhode Islanders.**

11. **03/10/08 Cox Communications is requesting notification on all work being done in the area of their building on Slocum Rd.**

12. **03/10/08 The Town of Portsmouth has passed resolution #2008-02025 B, A Resolution in Support of Amendments to RIGL §16-7-44. School Housing Project Costs.**

13. **03/10/08 Letter from Senator Kevin Breene and a copy of draft legislation regarding payment in lieu of taxes (PILOT),.**

14. **03/12/08 DEM 2007 Annual report for the Exeter Transfer Station.**

15. **03/12/08 Letter from the RI State Police with staffing options for the Exeter sub-station.**

16. **03/12/08 Request from the Historic Sites Coalition of RI (HSCRI), to join.**

17. **03/12/08 Letter from The Trust on the Deductible billing on Tomaiolo, et al. v. Newport et al.**

18. **03/13/08 Copy of a letter sent to Bruce A. Lowe, Sr. regarding Route 2 from the Dept. of Transportation.**

19. 03/13/08 Michael Mancuso of Cartridge World would like to have an E-Waste collection day for a Town charity for unwanted electronics.

20. 03/13/08 Visconti & Boren, LTD. Newsletter on Employer Consent Regarding Use of Company Vehicles.

21. 03/13/08 Memorandum from RI League of Cities & Towns with the REAP renewable power request forms.

22. 03/14/08 Letter from Neal Cohen student at Brown University asking to address the council on legislation in support of the Clean Elections Act.

23. 03/14/08 Warwick Resolution that supports H-7108 which removes the name of a benefit provider from a CBA

24. 03/14/08 Legislative alert 2008—H 7776 Relating to Labor & Labor Relations – Health & Welfare Funds-Pension Plans.

25. 03/18/08 Burrillville Town Council respectfully requests that you oppose House Bill 2008 – H 7448 Relating to Parks & Recreational Areas.

26. 03/18/08 Renewal Exposure Application for Property/Liability & Workers' Compensation insurance through The Trust for Policy Year 7/1/08 – 6/30/09.

27. 03/18/08 Unison's offer with attached Agreement for cell tower.

28. 03/18/08 Resolution from the City of Warwick for funding a statewide E-911 system.

29. 03/19/08 Letter from the Armenian National Committee of RI asking the town to fly the Armenian Flag on 4/24/08.

30. 03/19/08 Letter from Rick Nagele with article on Asian influence on the future of business in Rhode Island.

31. 03/19/08 Newsletter from Delta Dental.

32. **03/20/98 Senate Resolution Proclaiming May 18, 2008 as a Worldwide Neighbor Day to "Join Hand 4 Love."**

33. **03/21/08 House Bills of Interest to Cities and Towns from RI League of Cities and Towns.**

34. **03/21/08 USI's Benefit Newsletter.**

35. **03/21/08 RI Farm Bureau is offering homeowners and businesses a 10% tax credit for installing cisterns on their property.**

36. **03/21/08 Letter of thanks from Certified Revaluation Co. Inc. for restoring the CAMA data software.**

37. **03/24/08 Letter of concern from Dorothy H. Gannon on State Police coverage.**

38. **03/24/08 Resolution from the Town of Smithfield on Global Warming.**

39. **03/24/08 Letter from RI Child Abuse Prevention Network with programs offered to create public awareness of this problem in RI.**

40. **03/27/08 Letter from John J. Kupa, Jr. representing Susan Albert of Albert Farms regarding Southern NE Truck Pullers Assoc.**

41. **03/27/08 Town of South Kingstown proposed Comprehensive Plan Amendment and Zone Change - High Density Residential to Commercial Shore.**

42. **03/27/08 Domestic Violence Resource Center of South County semi-annual report 09/01/07 to 02/29/08.**

43. **03/27/08 Constellation New Energy information on Back-Up Generators.**

44. **03/27/08 Memorandum from Jeffrey A. Gofton Consortium Consultant with proposed activities and amounts requested.**

45. 03/28/08 Resolution adopted by the Town of South Kingstown in support of a $15 million State Bond Referendum for Open Space Programs.

46. 03/28/08 Invitation to an Annual Fair Housing Awards Ceremony Brunch, April 17, 2008 from the Narragansett Affordable Housing Corporation.

47. 03/31/08 Alert from RI League of Cities & Towns with draft letter to support passage of legislation H-7776 "Relating to Health and Welfare Funds".

48. 03/31/08 Invitation from DEM to a workshop in New Hampshire on everything you want to know about Stormwater BMPS.

49. 03/31/08 Resolution from the Town of Portsmouth in support of House Bill 7108 relating to Labor Relations – Collective Bargaining.

50. 03/31/08 Resolution from the Town of East Greenwich supporting the passage of House Bill #7776 prohibiting language in collective bargaining agreements.

51. 04/01/08 Memorandum from the RI League of Cities and Towns with REAP Information.

52. 04/01/08 Letter from Reverend John Hall requesting reappointment to the Juvenile Hearing Board.

53. 04/01/08 Letter from RI Department of Environmental Management Office regarding an investigation of a property on Tripps Corner Road, (Plat 35 Block 2 Lot 4).

54. 04/02/08 Letter from the RI Dept. of Environmental Management informing the town that Stephen P. Mattscheck passed the Standard Arborist Exam.

55. 04/02/08 Letter from the RI Dept of Environmental Management informing the town that Rick Smith passed the Standard Arborist Exam.

56. 04/02/08 Letter of interest from William Gallagher to continue serving on the Exeter Juvenile Hearing Board.

57. 04/03/08 Newsletter from Citizens Investment Management Services.

58. 04/03/08 Letter from Parmelee, Poirier & Associates, LLP offering their opinion regarding signatories on Town checking and investment accounts.

59. 04/03/08 Letter from Commonwealth Engineers & Consultants, Inc. regarding a Traffic Impact Study on South County Trail.

60. 04/04/08 DEM Office of Water Resources with proposed changes to rules governing the Narragansett Bay & Watersheds Restoration Bond Fund.

No. 15 B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers And Signing of Documents

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

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