

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

**APRIL 6, 2009  
7:15 P.M.**

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

**No. 1 PLEDGE OF ALLEGIANCE: Town Council Member  
William P. Monahan**

**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, 11 & 12)**

**No. 5 ACKNOWLEDGEMENTS:**

**A. EWG HIGH SCHOOL WRESTLER KYLE MORGAN: RI State Champion, 160 pound weight class**

**B. EWG HIGH SCHOOL SENIOR ALISON PIGOGA: Named to the McDonald's All-American Girls National Basketball Team**

**C. "ARMENIAN GENOCIDE REMEMBRANCE DAY" April 24, 2009**

**D. "SILVER STAR BANNER DAY" May 1, 2009**

**No. 6 APPROVAL OF MINUTES:**

**A. Town Council Meeting of March 2, 2009**

**B. Town Council Meeting of March 16, 2009**

**C. Town Council Meeting of March 30, 2009**

**D. Executive Session of March 30, 2009**

**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**
- 4. Tax Assessor's Clerk**
- 5. Emergency Management Committee**
- 6. Other**

**B. APPOINTMENTS**

**C. EXPIRING TERMS**

**No. 9 PUBLIC HEARINGS:**

- A. APPLICATION FOR 24 HOUR VICTUALING LICENSE: John Zarokostas, 476 Knotty Oak Road, Coventry, RI 02816, D/B/A Middle of Nowhere Diner, located at 222 Nooseneck Hill Road, Exeter, RI 028222, also described as Plat 20 Block 4 Lot 13, as advertised and noticed.**
- B. AMENDMENT OF THE EXETER ZONING ORDINANCE: amending ARTICLE 1 ADMINISTRATION PROCEDURES Sec. 1.2 Definitions; ARTICLE II ZONING USE REGULATIONS Sec. 2.4 Zoning Use Table; and amending the Exeter Code of Ordinances by amending CHAPTER 18 BUSINESSES ARTICLE III KENNELS Sec. 18-111, 18-112, 18-113 and 18-114, as advertised**

**No. 10 UNFINISHED BUSINESS**

- A. HISTORIC PRESERVATION**
- B. LADD CENTER ISSUES**
- C. VILLAGE INNOVATION PROJECT, continued from 3/02/09**

- D. ANNUAL MEMORIAL DAY PARADE, continued from 3/02/09
- E. EMPLOYEE CONTRACTS: Tax Collector and Tax Assessor,  
Continued from 3/02/09
- F. FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24), continued  
from 3/02/09
- G. REUBEN BROWN LANE DRAINAGE ISSUES, continued from  
3/02/09
- H. EMPLOYEE PENSION ACTUARIAL SERVICES, continued from  
3/02/09
- I. MUNICIPAL BANK ACCOUNTS, continued from 3/02/09
- J. PRORATION OF TAXES LEGISLATION, continued from  
3/02/09
- K. FY2008 MUNICIPAL AUDIT, continued from 3/02/09
- L. GENERATOR FOR EXETER EMERGENCY SHELTER AT  
METCALF SCHOOL, continued from 3/02/09
- M. MUNICIPAL EMPLOYEES' PENSION PLAN REVISION
- N. SERVICES/VENDOR CONSOLIDATION, continued from 3/02/09
- O. TAX RATE: Tangible Property, continued from 3/02/09
- P. EXETER TOWN TREASURER
- Q. PERFORMANCE AUDIT: RI Association of Assessing Officers
- R. SCHATNER FARMS/BALD HILL NURSERY PROPERTY
- S. DEER BROOK DEVELOPMENT CORP.
- T. STATE AID CUTS, continued from 3/02/09
- U. PROCEED TO PUBLIC HEARING: Amendment of Exeter  
Zoning Ordinance Article II Zoning District Use Regulations  
and adding Section 2.4.1-60 entitled "Adult Entertainment  
Uses" and Section 2.7 entitled "Adult Entertainment Uses",  
continued from 3/02/09

- No. 11 NEW BUSINESS:**
- A. OPENING OF BIDS: Haying of Town Farm Property for the Three-Year Period 4/01/2009 to 3/31/2012**
  - B. FY 09-10 BUDGET PREPARATION**
  - C. ADOPTION OF ORDINANCES: Legal Advertising**
  - D. ZONING ORDINANCE AMENDMENT: Outdoor Wood Boilers**
  - E. ZONING ORDINANCE AMENDMENT: Farmland Residential Compound**
  - F. RICO CORPORATION: Request for Bond Reduction**
  - G. DEPARTMENT HEAD SALARIES AND COMPENSATION**
  - H. LICENSING OF EXETER BUSINESSES**
  - I. FY2008 AUDIT MANAGEMENT LETTER**
  - J. FARM, FOREST AND OPEN SPACE PROGRAM**
  - K. PUBLIC WORKS DEPARTMENT: Bid Extension for Comer Contracting for Stone Seal**
  - L. CAPITAL IMPROVEMENT – ROADS: FY2010 - FY2013**
  - M. PERSONNEL/LABOR NEGOTIATIONS**
- No. 12 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 LIAISON'S REPORT/TOWN SERGEANT'S REPORT: Town Sergeant Richard S. Brown
- G. EMERGENCY MANAGEMENT REPORT: Director Scott G. Kettelle
- H. FIRE DISTRICT/PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON'S REPORT: Town Council Vice President Robert E. Johnson, Jr.
- I. PUBLIC WORKS DEPARTMENT LIAISON'S REPORT: Town Council Member William P. Monahan
- J. TAX ASSESSOR'S OFFICE LIAISON: Town Council Vice President Robert E. Johnson, Jr.
- K. ANIMAL CONTROL LIAISON'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 LIASON'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 Arlene B. Hicks
- P. EXETER PUBLIC LIBRARY LIAISON'S REPORT: Town Council Member Arlene B. Hicks
- Q. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL REPRESENTATIVE'S REPORT: Town Council President Calvin A. Ellis
- R. TOWN COUNCIL ASSISTANT'S REPORT: Town Council Assistant Kenneth G. Findlay
- S. TOWN CLERK'S REPORT: Town Clerk Cheryl A. Fernstrom, CMC
- U. SOLICITOR'S REPORT: James P. Marusak, Esq. of Gidley, Sarli & Marusak

No. 13 BILLS, APPROPRIATIONS, ABATEMENTS

**A. BILL SHEET, dated 4/06/09**

**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\***

**C. KENNEL LICENSE RENEWALS\***

**1. Class 1 Kennel License Renewals (Unlimited)**

- a. Brian and Kelly Quinn  
70B Sheffield Hill Road**
- b. Cozy Paws Pet Resort  
Robert E. & Marianne Winski  
495 Nooseneck Hill Road**
- c. Delmyra Kennels  
Scott and Ruth Gordon  
191 Ten Rod Road**
- d. Marietta Kahla  
454 Ten Rod Road**
- e. Mann's Best Friend  
John Mann  
76 Levitt Lane**
- f. Ruth Colwill  
174 Hallville Road**
- g. Kathleen and Donald Perkins  
2572 Ten Rod Road**

**2. Class 2 Kennel License Renewals (Under 10 dogs)**

- a. John J. Hood  
9 Skunk Hill Road**

- b. **Richard D. Walker**  
115 Hallville Road
- c. **Eugene and Mary Lou Whitford**  
850 Ten Rod Road
- d. **Nancy E. Kohler**  
287 Yawgoo Valley Road
- e. **Walter & Joanne Monroe**  
160 School Land Woods Road
- f. **Freida Spitz**  
639A South County Trail
- g. **Gary E. Donnelly**  
224 South Road

**No. 16 EXECUTIVE SESSION**

- A. **CURRENT LITIGATION**
- B. **LADD CENTER/JOB CORPS**
- C. **LABOR UNION/CONTRACT NEGOTIATIONS/ARBITRATION**
- D. **PERSONNEL ISSUES**
- E. **RICO CORP/DEER BROOK DEVELOPMENT CORP.**
- F. **ELCO ELECTRIC SERVICES INVOICES: J. Richard Ratcliffe, Esq.**
- G. **MEDICAL/DENTAL BENEFITS REIMBURSEMENTS**

**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 3/31/09**

2. **Probate Report, dated 3/23/09**
3. **Tax Collectors's Report, Remittances and Abatements, dated 4/06/09**
4. **Director of Public Works Report, dated 4/06/09**
5. **Animal Control Officer's Report, dated 4/06/09**

**C. COMMUNICATIONS:**

1. **03/02/09 Letter of interest from Mark Pari for the position on the Charter Review Commission.**
2. **03/02/09 Letter from the US Census Bureau with guidelines for the 2010 Census.**
3. **03/03/09 Quarterly Newsletter from The Trust.**
4. **03/03/09 Letter from Thomas Simas regarding motor boats at Boone Lake.**
5. **03/03/09 E-mail from RI League of Cities & Towns with FY2009 Budget Articles – Legislative Bills.**
6. **03/04/09 Letter from Blue Cross Blue Shield with the account rate adjustments for the upcoming year.**
7. **03/04/09 Letter of interest from Judith Simonini for for the position on the Charter Review Commission.**
8. **03/04/09 Letter from the City of Newport announcing the 53<sup>rd</sup> Annual St. Patrick's Day Parade – 03/14/2009.**
9. **03/05/09 Letter form Ronald L. Mann regarding tax assessment of property at 350 Wm Reynolds Road.**
10. **03/05/09 RIDEM application for the Exeter Transfer Station off Route 102.**
11. **03/06/09 RITCCA Elections Legislative Committee respectfully requests that Exeter send a letter of support for H5572 and SO252 Legislation.**

12. **03/06/09** Letter from The Trust with Trust Ownership Participation Shares, (TOPS) explaining dividend distribution.
13. **03/06/08** Letter from Arc of Blackstone Valley offering recycling services.
14. **03/06/09** Notice from Fecteau Benefits Group, Inc. with attached fee statements.
15. **03/09/09** RI League of Cities & Towns listing of all Senate & House legislative bills of interest.
16. **03/10/09** E-mail from Thomas McMillan with possible funding available in Floodplain Easement and Restoration Funds.
17. **03/10/09** Newsletter from The Washington Trust Company - Economic Outlook.
18. **03/10/09** Invitation to the Richmond Senior Citizens Association Five-Year Anniversary 5/1/09.
19. **03/11/09** Letter from the Exeter Rescue Corps, Inc. with accounting of Exeter Rescue project expenditures.
20. **03/11/09** Copy of Fiscal Year 2010 State of RI Budget briefing from RI League of Cities and Towns.
21. **03/11/09** US Department of Agriculture Agency Announcing loan & grant programs to help rural towns provide safe drinking water.
22. **03/11/09** USI update on COBRA Stimulus changes & employer checklist.
23. **03/12/09** Letter from RIDEM notifying cities and towns of their Stimulus money for clean water projects with instructions and forms.
24. **03/13/09** Exeter-West Greenwich Regional School District Charter Amendment of Section VI of Chapter 80.
25. **03/13/09** Letter from The Trust regarding claim from Fred White, Jr. – drainage.

26. **03/16/09 Invitation to Exeter Rescue Corps Open House 3/28/09, 1:00 to 3:00 pm.**
27. **03/16/09 RI League of Cities & Towns information on Gov. Carcieri's plan to distribute Stimulus money.**
28. **03/17/09 State Planning Council Notice of Public Hearing on 04/13/09 and meeting on 04/16/09 – Amendment to the Transportation Improvement Program.**
29. **03/18/09 REAP Monthly Savings for February.**
30. **03/18/09 The Trust Renewal Exposure Application for Policy Year 2009-2010.**
31. **03/20/09 Letter from Francis P. DiGregorio requesting Executive Session minutes for Deer Brook project negotiations.**
32. **03/20/09 Letter from the Board of Examiners of Landscape Architects for registration and information pertaining to Landscape Architects in RI.**
33. **03/20/09 Letter from Desisto Law Office regarding Fred C. White, Jr. v. Town of Exeter C.A. No. WC09-167.**
34. **03/23/09 Information and letter from Shechtman, Halperin, Savage, LLP regarding State Tire Receivership Estate.**
35. **03/23/09 Letter from US Senator Sheldon Whitehouse with information on Law Enforcement Grant Opportunities.**
36. **03/23/09 Memo from The Trust with a survey designed to demonstrate how The Trust can better serve us.**
37. **03/23/09 USI's Benefit Newsletter.**
38. **03/24/09 E-mail from Burrillville rejecting and requesting support opposing House Bill H5679.**
39. **03/24/09 Letter to Town Planner David Schweid, AICP from RI Housing regarding Low- and moderate-income housing units.**

40. **03/25/09** Letter from Janet Dean of the Nuweetooun School at Tomaquag Museum announcing the second annual Sequan Moon 5K Race 04/18/09.
41. **03/26/09** The Trust is offering a seminar – Life Insurance 101 - April 14, 2009.
42. **03/26/09** Notice from the RI League of Cities & Towns of upcoming RI General Assembly session on container deposit system to increase recycling rates.
43. **03/26/09** RI League of Cities & Towns news that cities & towns will not be receiving GRS aid in the current fiscal year.
44. **03/27/09** Letter from the Armenian National Committee of RI requesting the Armenian flag be flown on April 24, 2009.
45. **03/27/09** RI League of Cities & Towns notice on Articles being discussed by the House Finance Committee.
46. **03/27/09** RI League of Cities & Towns with estimate of “Pothole Fund” and reductions in general state aid for FY '09.
47. **03/30/09** Letter from the Exeter-West Greenwich Regional School District regarding installation of the generator at Metcalf School.
48. **03/30/09** Letter from DEM regarding maintenance contracts for advanced treatment septic systems.
49. **03/30/09** Letter from Washington County Regional Planning Council requesting minor legislative change to Section 37-13-3.
50. **03/30/09** Letter from Michael K. Lipka regarding penalty fees for Mr. and Mrs. Maher.
51. **03/31/09** Notice from the RI State Police that a raffle will be held at the Exeter Country Club by St. Francis de Sales Church on 06/20/09.

- 52. 03/31/09 E-mail from RI League of Cities & Towns with revised '09 budget booklet.
- 53. 04/01/09 E-mail from RI League of Cities & Towns regarding budget reduction initiatives.
- 54. 04/01/09 E-mail RI League of Cities & Towns with legislative alert.
- 55. 04/01/09 Invitation from The RI Tree Council & Nationalgrid to the Arbor Day Fair 4/25/09 at Roger Williams Park.
- 56. 04/02/09 E-mail from RI League of Cities & Towns with updated list of Budget Reduction Initiatives.
- 57. 04/02/09 E-mail from RI League of Cities & Towns regarding General Revenue Sharing programs.
- 58. 04/02/09 RIDEM letter regarding storm water discharge at the Transfer Station.
- 59. 04/02/09 Letter from the University of Massachusetts regarding elections.
- 60. 04/02/09 RIRRC 2010 Municipal Solid Waste Management Cap Calculations.
- 61. Email from RI League of Cities & Towns with RI Dept. of Revenue calculations of GRS allocations if Bill H-5019 Sub. A, as amended, becomes law.

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

C. KENNEL LICENSE RENEWALS

**POSTING STATEMENT:** Exeter Town Council Meeting Agenda posted at the following locations:

**EXETER TOWN HALL, EXETER POST OFFICE, EXETER PUBLIC LIBRARY AND SECRETARY OF STATE'S WEBSITE**

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.