

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

**MAY 4, 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 7, 8, 9, 10 & 11)**

**No. 5 ACKNOWLEDGEMENTS:**

**A. REVEREND GERARD O. SABOURIN: Pastor of Blessed Kateri Tekakwitha named Monsignor by Pope Benedict XVI**

**B. TOWN PHYSICIAN HENRY SANDERS, MD; TOWN SERGEANT RICHARD S. BROWN: Taking the initiative to notify Exeter Residents of the H1N1 Flu Outbreak**

**C. RHODE ISLAND BLOOD CENTER: 30<sup>TH</sup> Anniversary Proclamation**

**D. EWG TRACK TEAM MEMBER CONOR BREAGY: Set EWG Record in the 800 meter run at 2:07**

**E. EWG TRACK TEAM MEMBER JORDAN BELL: Won Javelin Throw in his first meet, 120 feet**

**F. EWG SPORTS 4 KIDS MAY BREAKFAST: Saturday, May 16<sup>th</sup>,  
Applebee's Restaurant, Center of New England, 8:00 a.m. to  
10:00 a.m., Donation \$5.00**

**No. 6 APPROVAL OF MINUTES:**

- A. Town Council Meeting of April 6, 2009**
- B. Town Council Meeting of April 28, 2009**
- C. Executive Session of April 6, 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**

- 1. Planning Board Alternates  
Stagger terms of Auxiliary Members  
Carla Benoist and William Haas**

**C. EXPIRING TERMS**

- 1. Tax Assessment Board of Review 6/2009  
Terms of Robert Anderson, Edward Nataly,  
John McDonough and Paul Picerne**
- 2. Planning Board Member 7/2009  
Term of Francis P. DiGregorio**
- 3. Zoning Board of Review Member 7/2009  
Term of Paul McAdam**

- No. 9 PUBLIC HEARINGS:**
- A. COMMUNITY DEVELOPMENT BLOCK GRANT: 2<sup>nd</sup> Public Hearing for FY 2009-2010 CDBG Application**
  - B. TOWN COUNCIL PRIORITIZATION OF ACTIVITIES AND AUTHORIZATION TO APPLY**
- No. 10 UNFINISHED BUSINESS**
- A. HISTORIC PRESERVATION**
  - B. LADD CENTER ISSUES**
  - C. VILLAGE INNOVATION PROJECT, continued from 4/06/09**
  - D. ANNUAL MEMORIAL DAY PARADE, continued from 4/06/09**
  - E. EMPLOYEE CONTRACTS: Tax Collector and Tax Assessor, Continued from 4/06/09**
  - F. FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24), continued from 4/06/09**
  - G. REUBEN BROWN LANE DRAINAGE ISSUES, continued from 4/06/09**
  - H. EMPLOYEE PENSION ACTUARIAL SERVICES, continued from 4/06/09**
  - I. MUNICIPAL BANK ACCOUNTS, continued from 4/06/09**
  - J. PRORATION OF TAXES LEGISLATION, continued from 4/06/09**
  - K. FY2008 MUNICIPAL AUDIT, continued from 4/06/09**
  - L. GENERATOR FOR EXETER EMERGENCY SHELTER AT METCALF SCHOOL, continued from 4/06/09**
  - M. MUNICIPAL EMPLOYEES' PENSION PLAN REVISION**
  - N. SERVICES/VENDOR CONSOLIDATION, continued from 4/06/09**
  - O. TAX RATE: Tangible Property, continued from 4/06/09**
  - 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 4/06/09
- U. 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 4/06/09
- V. RICO CORPORATION: Request for Bond Reduction, continued from 4/06/09
- W. LICENSING OF EXETER BUSINESSES
- X. LETTER OF RONALD L. MANN DATED 3.5.09: Requesting Tax Abatement

**No. 11 NEW BUSINESS:**

- A. AWARDING OF BID: Asphalt Paving
- B. PROCEED TO PUBLIC HEARING: Zoning Ordinance Amendment for Farmland Residential Compound
- C. VICTUALING LICENSE APPLICATION: Michael A. Foster of 16 Arrowwood Drive, Coventry, RI 02816 as Mikeway, Inc., d/b/a The Village Scoop, 567 South County Trail, Unit 110, also described as Plat 71 Block 1 Lot 3 Fee: \$25.00
- D. IMPACT FEES
- E. OHH ORDINANCE REVISION
- F. EWG SCHOOL DISTRICT CHARTER REVIEW COMMISSION
- G. HEALTH INSURANCE PREMIUM CO-SHARES: Non-Union Personnel
- H. FY 09-10 BUDGET PREPARATION
- I. FY2008 AUDIT MANAGEMENT LETTER

**J. 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: Deputy Town Treasurer Theresa C. Donovan**
- 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
- T. SOLICITOR'S REPORT: James P. Marusak, Esq. of Gidley, Sarli & Marusak

**No. 13 BILLS, APPROPRIATIONS, ABATEMENTS**

- A. BILL SHEET, dated 5/04/09
- B. ABATEMENTS (no abatements this month)

**No. 14 COMMUNICATIONS**

**No. 15 OTHER BUSINESS:**

- A. SCHEDULE OF MAY MEETINGS AND EVENTS\*
- B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers And Signing of Documents\*
- C. VENDING/PEDDLER'S LICENSE RENEWALS\*
  - 1. Richard D. and Robert T. Walmsley      Fee: \$200.00  
 Waites Corner Road  
 Box 314  
 West Kingston, RI 02892
  - 2. Warren Philippi      Fee: \$ 25.00  
 20 Austin Farm Road
  - 3. Michael Granieri      Fee: \$200.00  
 52 High Street  
 Warwick, RI 02886
  - 4. Charlotte E. Harding      Fee: \$ 25.00  
 550 Victory Highway

**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. 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 May Meetings and Events**
- B. Reports**
  - 1. Town Clerk's Report, dated 4/30/09**
  - 2. Probate Report, dated 4/27/09**
  - 3. Tax Collector's Report, Remittances and Abatements, dated 5/04/09**
  - 4. Director of Public Works Report, dated 5/04/09**
  - 5. Animal Control Officer's Report, dated 5/04/09**
- C. COMMUNICATIONS:**
  - 1. 04/06/09 USI's Benefit Newsletter.**
  - 2. 04/06/09 E-mail from RI League of Cities & Towns with article from the Providence Business News regarding the FY2010 budget.**

3. **04/06/09** E-mail from RI League of Cities & Towns with notice for a Judicial Fairness Initiative Hearing on April 7, 2009.
4. **04/06/09** Resolution from the City of Warwick supporting Senate Bill No. 09-252 and House Bill No. 09-5572 relating to elections.
5. **04/08/09** E-mail from RI League of Cities & Towns with FY2009 Revised Education Aid.
6. **04/09/09** Resolution from the Town of Jamestown pertaining to RI Turnpike and Bridge Authority.
7. **04/10/09** E-mail from Sarah Kite with a Bottle Bill power point presentation and it's impact on RI.
8. **04/10/09** E-mail from RI League of Cities & Towns with ARRA Federal Stimulus Update.
9. **04/10/09** Letter form U.S. Census Bureau with information regarding their procedure for gathering information for the 2010 Census.
10. **04/13/09** Letter from the RI DOT with notice of Local Equity Aid Program, (RI-LEAP) and guidance requirement workshop being held on 04/30/09.
11. **04/13/09** Letter from RIEDC with Growth Plan describing their strategy to create jobs.
12. **04/13/09** Letter from RI Housing with draft of the 2008 Low and Moderate Income Housing Chart.
13. **04/14/08** RI Division of Planning is looking for Exeter's input of project ideas in anticipation of the passage of the American Recovery and Reinvestment Act (ARRA).
14. **04/15/09** E-mail from RI League of Cities & Towns with notice that the North Kingstown Town Council voted their support to repeal the Caruolo Act.
15. **04/15/09** RIDEM notice with approved Tree Warden appointment and Pest Alert information on the Asian Longhorned Beetle.

16. **04/16/09** E-mail from RI League of Cities & Towns with update of meeting date change from 4/30/09 to 5/7/09 with the State Planning Council on local road program allocations.
17. **04/16/09** E-mail from RI League of Cities & Towns with a copy of James E. Doyle commentary on the Caruolo Act.
18. **04/17/09** The Trust is offering a Seminar on their Group Term Life Insurance Program on 04/29/09.
19. **04/17/09** The Trust is offering a Safety Seminar on Aerial Lifting Training on 4/28/09.
20. **04/17/09** Exeter-West Greenwich School Committee is looking for two interested citizens from Exeter to serve on the School District Charter Review Commission.
21. **04/17/09** E-mail from the Burrillville Town Council Opposing House Bill 09-5123 relating to property mortgage foreclosure & sale.
22. **04/20/09** Letter from the National Municipal Fireman Association request equipment for fire stations in Guatemala.
23. **04/20/09** Exeter-West Greenwich Sports 4 Kids announcement for their fifth annual Golf Tournament 06/26/09 at Fenner Hill Golf Club in Hope Valley, RI.
24. **04/20/09** E-Mail from RI League of Cities and Towns with the Pawtucket Caroulo Suit.
25. **04/23/09** E-Mail from Kris L. Christine Co-Trustee of The Rabies Challenge Fund with notification of April 29<sup>th</sup>, 2009 at 9:00 am with the Rabies Control Board to discuss 3 year rabies shot.
26. **04/23/09** E-Mail from FEMA, Citizens Corps News with announcement President Obama signs Legislation to establish 9/11 as National Day of Service and Remembrance.
27. **04/24/09** Letter from RIDOT Environmental &

**Intermodal Planning Dept. in regards to RI-LEAP  
Workshop May 7, 2009.**

- 28. 04/24/09 E-Mail from Dan Beardsley, RI League of Cities & Towns in regards to newly published reports on the proposed FY 2010 Budget.**
- 29. 04/27/09 E-Mail from Dan Beardsley, RI League of Cities & Towns notifying of four legislative bills for Hearing by the Senate.**
- 30. 04/27/09 Letter from RI Secretary of State Ralph Mollis in opposition to Article 4 of the Governor's FY 2010 budget.**
- 31. 04/27/09 Letter from Tracy N. Hay Richmond Town Clerk, stating the Richmond Town Council unanimously voted to appeal the Caruolo Act.**
- 32. 04/27/09 E-Mail from Patricia McMahon with invitation to attend seminar on May 26, 2009, An Elected Officials Guide to Managing RI Local Governments in Crisis.**
- 33. 04/29/09 Letter from RIDOH notifying Exeter that public water supply license at 705 South County Trail has been revoked.**
- 34. 04/29/09 E-Mail from Charles Hawkins of RI Energy Resources with an invitation to attend a public meeting regarding stimulus funding.**
- 35. 04/29/09 Letter from RI Statewide Coalition regarding elimination of straight party ballot in RI Elections.**
- 36. 04/29/09 Letter from Representative Michael J. Marcello, District #41 regarding Bill #H-5730 which would provide a uniform statewide procedure for appointing voting district Clerks and Moderators.**
- 37. 04/30/09 E-Mail from Joann Fineberg regarding Resolution passed by Warwick City Council relative to Legislation authorizing City and Town Councils to Ratify school teacher contracts.**

38. 05/01/09 Letter from RI E-911 Uniform Emergency Telephone System requesting appointment of a liaison to coordinate and approve changes in their GIS database.
39. 05/01/09 Letter of interest from Jason Whitford for appointment to the Town Charter Review Commission.

**No. 15 C. VENDING/PEDDLER'S 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.**