

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

**JULY 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 Vice President
 Robert E. Johnson, Jr.**

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)**

No. 5 ACKNOWLEDGEMENTS:

- A. EWG HIGH SCHOOL 2009 VALEDICTORIAN: Leah Small,
 Exeter**
- B. EWG HIGH SCHOOL 2009 SALUTATORIAN: Zachary Barrett,
 West Greenwich**
- C. EWG TEACHER OF THE YEAR: Elizabeth Lind, High School
 Art Teacher**
- D. EWG HIGH SCHOOL PRINCIPAL DENISE BOULE: Retiring
 June 30, 2009**

- E. EXETER DEPUTY TREASURER THERESA DONOVAN:
Resigning and accepting Probate Clerk Position, Town of
Narragansett**

No. 6 APPROVAL OF MINUTES:

- A. Town Council Meeting of June 1, 2009**
- B. Town Council Meeting of June 17, 2009**
- C. Town Council Meeting of June 24, 2009**
- D. Town Council Meeting of July 2, 2009**
- E. Executive Session of June 1, 2009**
- F. Executive Session of June 17, 2009**
- G. Executive Session of June 24, 2009**
- H. Executive Session of July 2, 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. Tax Assessment Board of Review 6/2009
Terms of Robert Anderson, Edward Nataly,
John McDonough and Paul Picerne**

C. EXPIRING TERMS

- 2. Planning Board Member 7/2009
Term of Francis P. DiGregorio**

3. Zoning Board of Review Member 7/2009
Term of Paul McAdam
4. Planning Board Alternate Member 7/2009
Term of Carla Benoist

No. 9 PUBLIC HEARINGS:

No. 10 UNFINISHED BUSINESS

- A. HISTORIC PRESERVATION
- B. LADD CENTER ISSUES
- C. A VISION FOR EXETER: Borderlands Village Innovation Project, continued from 6/01/09
- D. ANNUAL MEMORIAL DAY PARADE, continued from 6/01/09
- E. CHARTER REVIEW COMMISSION
- F. EMPLOYEE CONTRACTS: Tax Collector and Tax Assessor, Continued from 6/01/09
- G. FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24), continued from 6/01/09
- H. REUBEN BROWN LANE DRAINAGE ISSUES, continued from 6/01/09
- I. EMPLOYEE PENSION ACTUARIAL SERVICES, continued from 6/01/09
- J. MUNICIPAL BANK ACCOUNTS, continued from 6/01/09
- K. GENERATOR FOR EXETER EMERGENCY SHELTER AT METCALF SCHOOL, continued from 6/01/09
- L. MUNICIPAL EMPLOYEES' PENSION PLAN REVISION
- M. EXETER TOWN TREASURER
- N. SCHATNER FARMS/BALD HILL NURSERY PROPERTY
- O. 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 6/01/09

P. IMPACT FEES

No. 11 NEW BUSINESS:

A. AWARDING OF BIDS: Public Works Department

- 1. Diesel Zero Turn Mower**
- 2. 40,000 GVW Dump Truck**

B. RUBBISH REMOVAL LICENSE APPLICATION: Blake Macera, BM Rubbish Services, Inc., 2380 Middle Road, East Greenwich, RI 02818, Mailing address P.O. Box 814, North Kingstown, RI 02852, Fee: \$10.00

C. SALISBURY PROPERTY: Offer to Sell

D. RELEASE OF TANGIBLE TAX LISTS NOT RETURNED/SENT IN BLANK/UNDER STATED VALUES

E. HAYING OF EXETER FAIRGROUNDS PROPERTY

F. BUSINESS LICENSING

G. ONE DAY F1 LIQUOR LICENSE: Request of Exeter Volunteer Fire Department for Annual Clambake on August 9, 2009 for Liquor License and Waive Fee

H. TOWN HALL COMPUTER/TELEPHONE PROBLEMS

I. FINANCIAL TOWN MEETING: Process Review

J. TAX ROLL AND BILLING

K. PERSONNEL/LABOR NEGOTIATIONS

No. 12 REPORTS OF OFFICERS, BOARDS, COMMITTEES:

A. TAX COLLECTOR'S REPORT, REMITTANCES AND ABATEMENTS: Tax Collector Lynette L. Lussier

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

C. TOWN TREASURER'S REPORT:

- D. TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP**
- 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. PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON'S REPORT: Town Council Vice President Robert E. Johnson, Jr.**
- I. TAX ASSESSOR'S OFFICE LIAISON REPORT: Town Council Vice President Robert E. Johnson, Jr.**
- J. PUBLIC WORKS DEPARTMENT LIAISON'S REPORT: Town Council Member William P. Monahan**
- K. TRANSFER STATION LIASON'S REPORT: Town Council Member William P. Monahan**
- L. ECONOMIC DEVELOPMENT COMMISSION LIAISON'S REPORT: Town Council Member William P. Monahan**
- M. ANIMAL CONTROL LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom**
- N. EXETER JOB CORPS ACADEMY LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom**
- 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 7/06/09
- B. ABATEMENTS, dated 7/06/09

No. 14 COMMUNICATIONS

No. 15 OTHER BUSINESS:

- A. SCHEDULE OF JULY 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/ARBITRATION
- D. PERSONNEL ISSUES
- E. RICO CORP/DEER BROOK DEVELOPMENT CORP.
- F. GENERATOR AT METCALF SCHOOL
- 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 July Meetings and Events

B. Reports

1. **Town Clerk's Report, dated 6/30/09**
2. **Probate Report, dated 6/22/09**
3. **Tax Collector's Report, Remittances and Abatements, dated 7/06/09**
4. **Director of Public Works Report, dated 7/06/09**
5. **Animal Control Officer's Report, dated 7/06/09**

C. COMMUNICATIONS:

1. **06/01/09 E-Mail from RI League of Cities & Towns Legislative Alert notice regarding Senate Bill # 0682.**
2. **06/01/09 E-Mail from Jerome Sidio interested in appointment to the Board of Assessment Review.**
3. **06/02/09 E-mail from Attorney General Patrick Lynch regarding Open Government Summit 7/31/2009.**
4. **06/03/09 Letter from RIDEM regarding Freshwater Wetlands application #09-0124 for East Shore Drive at West Shore Drive.**
5. **06/03/09 Letter from RIDEM regarding Freshwater Wetlands application #09-0123 for Summit Road.**
6. **06/03/09 Letter from Bradford Gorham with copy of all EWG Charter amendments since 1965.**
7. **06/03/09 Letter from Federal Emergency Management Agency enclosing a list of the preliminary Flood Insurance study for Washington County and Flood Insurance rate map.**
8. **06/03/09 Letter from RI State Police Charitable gaming unit granting authorization to RI Alliance of Social Service Employees Local 580 to hold raffle at Yawgoo Bakes and Barbecues 6/19/2009.**

9. **06/04/09** Letter from RI Ethics Commission in regards to a workshop on 6/16/2009 concerning possible changes to the Code of Ethics .
10. **06/04/09** Letter from RI State Police Charitable gaming unit granting authorization to RI Alliance of Social Service Employees Local 580, to be held at Yawgoo Bates and Barbecues 6/19/2009.
11. **06/04/09** Letter from Town of South Kingstown notifying Exeter of Public Hearing to consider proposed amendments to the town's Zoning ordinance Article 5 and Article 12.
12. **06/08/09** E-Mail from Peggy McGovern, South County Community Action, requesting letter of support for Early Head Start program.
13. **06/08/09** Letter from Kathleen N. Ludgate, US Census Bureau, inviting participation in partner support program.
14. **06/08/09** E-Mail from David Schweid in regards to RIAPA announcements of "Preservation is Local Grants/RI Preservation Awards" due 7.17.09.
15. **06/09/09** Letter of interest from Carla Neubert Benoist for reappointment to the Planning Board Alternate position.
16. **06/09/09** Letter of interest from Francis P. DiGregorio for reappointment to the Planning Board.
17. **06/10/09** Memorandum from Donna L. Giordano, Westerly Town Clerk, with resolution in support of the US Supreme Court opinion in *Carcieri v. Salazar*.
18. **06/10/09** E-Mail from Nancy Kinirons volunteering to be a member of the human resources/personnel committee.
19. **06/12/2009** Letter from Nick Littlefield requesting a temporary liquor license for the Exeter Volunteer Fire Dept #1 Clambake on 08/09/09.

20. **06/12/2009 E-Mail from Asa Davis IV requesting permission to do his Eagle Scout project at the Exeter Public Library.**
21. **06/12/09 E-Mail from Amy Rose Weinreich, Deputy Town Clerk, Town of Charlestown, with Town Council Resolutions opposing Electric rate increase/Health Insurance rate hikes.**
22. **06/12/09 E-Mail from Cheryl A. Francis, RI Chapter of American Society for Public Administration, with invitation to attend upcoming networking event 6/30/09.**
23. **06/15/09 State report card from Department of Education containing academic achievements information for students in all RI public schools.**
24. **06/17/09 E-Mail from RI League of Cities & Towns With House Finance's budget for fiscal year 2010.**
25. **06/18/09 E-Mail from RI League of Cities & Towns With state aid allocations for fiscal year 2010 as passed by the House Finance Committee.**
26. **06/19/09 USI's Benefit Newsletter.**
27. **06/19/09 Letter from RIDEM granting remedial approval at Exeter Landfill #2.**
28. **06/19/09 Letter from RI Ethics Commission Requesting comment on new General Commission Advisory - 2009-1: Nepotism.**
29. **06/19/09 E-Mail from RI League of Cities and Towns Legislative Alert H5360, proposed Sub A for H5360, House HEW.**
30. **06/18/09 Letter from Theresa Donovan resigning from the position of Deputy Treasurer for the Town of Exeter.**
31. **06/22/09 Letter from Secretary of State Ralph Mollis notifying the Town Clerk of local government records grant award of \$3000 for purchasing a map cabinet for the Town Clerk's Office vault.**

32. **06/22/09 Letter from FEMA with notice of Community Coordination Meeting for Flood Insurance Study.**
33. **06/22/09 Letter from National Grid with a brochure On Natural gas pipeline safety.**
34. **06/22/09 E-Mail from RI League of Cities and Towns regarding Providence Journal Editorial "Mandate Madness."**
35. **06/23/09 E-Mail from RI league of Cities and Towns in regards to initiative to restore general revenue sharing in the state's 2010 budget.**
36. **06/24/09 Letter from William Stamp of RI Farm Bureau supporting legislation for transfer of development rights for RI farmers.**
37. **06/25/09 Resolution from the Warwick City Council to Warwick School Committee requesting Potowomut School be transferred back to the city for possible use as a charter school or Mayoral academy.**
38. **06/25/09 E-Mail from RI League of Cities and Towns with Legislative Alert regarding Senate Bill S-1012, being heard before the Senate Finance Committee**
39. **06/25/09 E-Mail from RI League of Cities and Towns with Legislative Alert regarding House Bill H-5360.**
40. **06/25/09 Letter from Robert Urquhart of RING requesting donation to help build RI National Guard Living Memorial at RI Veterans Cemetery.**
41. **06/25/09 Letter form Waste Water Treatment Services Inc. with notification that 98 Cedar Grove Drive is not continuing their maintenance contract .**
42. **06/26/09 E-Mail from RI League of Cities and Towns with Legislative Alert Update regarding NFPA 1500 Mandate Bill H-5360 "Sub A", School Teacher Collective Bargaining Bill S-0713, and Mandated Consolidation of Municipal/School Departments S-1012.**

43. 06/26/09 Resolution from Pawtucket City Council Regarding property taxes supporting education and Demand for an educational summit within 60 days.
44. 06/26/09 Resolutions passed by the Warren Town Council opposing Health Insurance rate hikes, opposing Electric rate increase, and supporting House Bill H-5039, Search Warrants – Motor Vehicle Offenses.
45. 06/26/09 E-Mail from Pawtucket City Clerk Richard Goldstein notifying municipalities of Bill H-5686A, Tolling of expiration periods for permits, is on the House calendar.
46. 06/29/09 Letter from Brown's River Bindery Inc., announcing Brown's River and Joseph J. Marotti Co. Co. have joined Business Resources Corporation and is now Brown's River Marotti Co.
47. 06/29/09 E-Mail from RI League of Cities and Towns with Legislative Alert announcing the House passes H-5360, NFPA 1500.
48. 06/30/09 Letter from Oak Harbour Village requesting Town's support for their weekend outdoor activities planned for summer 2009.
49. 06/30/09 E-Mail from RI League of Cities and Towns with Legislative Alert regarding NFPA 1500 information
50. 07/02/09 E-Mail from RI League of Cities and Towns Regarding Maintenance of Effort State and Federal Guidelines

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.