

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

**TUESDAY, SEPTEMBER 8, 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
Arlene B. Hicks**

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)

No. 5 ACKNOWLEDGEMENTS:

No. 6 APPROVAL OF MINUTES:

- A. Town Council Meeting of August 3, 2009**
- B. Town Council Meeting of August 6, 2009**
- C. Town Council Meeting of August 14, 2009**
- D. Town Council Meeting of August 17, 2009**
- E. Town Council Meeting of August 24, 2009**
- F. Executive Session of August 3, 2009**
- G. Executive Session of August 6, 2009**
- H. Executive Session of August 14, 2009**
- I. Executive Session of August 24, 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. Emergency Management Committee**
- 5. Town Treasurer**
- 6. Planning Board Clerk**
- 7. Public Works Department Employee**
- 8. Other**

B. APPOINTMENTS

C. EXPIRING TERMS

No. 9 PUBLIC HEARINGS:

- A. SECOND HAND DEALERS LICENSE APPLICATION: Audrey Lochiotto for Corporate Image Interiors for the property located at 230 Nooseneck Hill Road, Exeter, RI 02822 also described as Plat 20 Block 4 Lot 13, as advertised**
- B. CLASS B LIMITED LIQUOR LICENSE EXPANSION APPLICATION: Effie Filippou's Twisted Pizza, LLC, Effie N. Filippou, 567 South County Trail, Unit #107, Exeter, RI 02822, also described as Plat 71 Block 4 Lot 3, as advertised and noticed**
- C. JUNK YARD LICENSE APPLICATION: Ronald L. Mann for High Tower Farm LLC, DBA High Tower Auto Salvage for the Property located at 2670 Ten Rod Road, Exeter, RI 02822 also described as Plat 28 Block 1 Lot 3, as advertised and noticed, continued from 8.3.09**

No. 10 UNFINISHED BUSINESS

- A. HISTORIC PRESERVATION**
- B. LADD CENTER ISSUES**
- C. A VISION FOR EXETER: Borderlands Village Innovation Project, continued from 8/03/09**
- D. CHARTER REVIEW COMMISSION**
- E. FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24), continued from 8/03/09**
- F. REUBEN BROWN LANE DRAINAGE ISSUES, continued from 8/03/09**
- G. EMPLOYEE PENSION ACTUARIAL SERVICES, continued from 8/03/09**
- H. MUNICIPAL BANK ACCOUNTS, continued from 8/03/09**
- I. GENERATOR FOR EXETER EMERGENCY SHELTER AT METCALF SCHOOL, continued from 8/03/09**
- J. MUNICIPAL EMPLOYEES' PENSION PLAN REVISION**
- K. EXETER TOWN TREASURER**
- L. SCHARTNER FARMS/BALD HILL NURSERY PROPERTY**
- M. 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 8/03/09**
- N. MANTON LIBRARY FUNDS/EXETER PUBLIC LIBRARY, continued from 8/03/09**
- O. BUSINESS LICENSING, continued from 8/03/09**
- P. TOWN HALL COMPUTER/TELEPHONE PROBLEMS, continued from 8/03/09**
- Q. METRO PCS LLC: Zoning Application for Additional Antenna, continued from 8/03/09**

R. SUPPLEMENTAL TANGIBLE PROPERTY BILLING, continued
from 8/03/09

S. NK IT PROPOSAL

No. 11 NEW BUSINESS:

A. ADOPTION OF RESOLUTION: Declaring September as
Ovarian Cancer Awareness Month in the Town of Exeter

B. MOTOR VEHICLE REVENUE REDUCTION

C. RIRRC RECYCLING REBATE (Communication #36)

D. EXETER TRANSFER STATION

E. WIDOW SWEETS ROAD

F. EXETER PUBLIC LIBRARY WINDOW PROPOSAL

G. "A VISION FOR EXETER" - BORDERLANDS PROJECT:
\$100,000 Challenge Grant Application and Request for
Council Approval to Proceed

H. H1N1 FLU UPDATE

I. TOWN HALL SECURITY ISSUES

J. EMPLOYEE/COBRA HEALTH INSURANCE

K. PERSONNEL ISSUES/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: Deputy Treasurer
Joseph Gillis

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'S 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 8/28/09**
 - B. **ABATEMENTS, dated 9/04/09**
 - C. **REMITTANCES, dated 9/08/09**

- No. 14 **COMMUNICATIONS**

- No. 15 **OTHER BUSINESS:**
 - A. **SCHEDULE OF SEPTEMBER 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**
 - H. **SECURITY ISSUES**

- 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 September Meetings and Events

B. Reports

- 1. Deputy Treasurer's Report**
- 2. Town Clerk's Report, dated 8/31/09**
- 3. Probate Report, dated 8/24/09**
- 4. Tax Collector's Report, dated 9/08/09**
- 5. Tax Assessor's Report, dated 9/08/09**
- 6. DPW Report, dated 9/08/09**
- 7. Town Planner's Report, dated 9/08/09**
- 8. Welfare Director's Report, dated 8/26/09**
- 9. Emergency Management Report, dated 9/08/09**
- 10. Animal Control Report, dated 9/08/09**
- 11. Council Assistant's Report, dated 9/08/09**

C. COMMUNICATIONS:

- 1. 08/03/09 Letter from the RI Dept. of Health with information on the upcoming flu season.**
- 2. 08/04/09 Letter of thanks from Home & Hospice Care of RI for the town's donation.**
- 3. 08/05/09 Request from the Ocean State Policy Research Institute for copies of our collective bargaining agreements.**
- 4. 08/06/09 E-mail from Exeter Historical Association requesting permission to begin work at Woody Hill School.**

5. **08/07/09 Letter & Resolution from Middletown to enact legislation criminalizing prostitution.**
6. **08/11/09 Letter from REMI Group requesting a meeting to discuss management program for the town's office equipment.**
7. **08/12/09 Updates from Wood-Pawcatuck Watershed Association and invitation to a public workshop to Examine the Optimization Study.**
8. **08/12/09 Letter from RI Community Development Block Grant program informing Exeter of the \$25,095 grant award.**
9. **08/13/09 RI Dept. of Administration, Division of Planning, with information on the 2009 Planning Challenge Grants available.**
10. **08/13/09 Invitation from Governor Carcieri to attend the eighth-year observance of Sept. 11th at the State House.**
11. **08/14/09 Thank you from Seniors Helping Others for Exeter's contribution.**
12. **08/17/09 RI League of Cities & Towns e-mail with Legislative Alerts.**
13. **08/19/09 Letter from City of Pawtucket announcing the 11th Annual Pawtucket Arts Festival from 8/28/09 to 9/12/09.**
14. **08/19/09 E-mail from RI League of Cities and Towns with information on Binding Arbitration.**
15. **08/20/09 Letter from the RI Ethics Commission asking for written information and comments regarding public officials' involved in their own compensation or benefits.**
16. **08/20/09 E-mail from RI League of Cities & Towns with a sample letter opposing binding arbitration for school teachers.**

17. **08/21/09** E-mail from RI League of Cities & Towns with sample Council resolution opposing binding arbitration for school teachers.
18. **08/21/09** Letter from AYOUB Engineering, Inc. with proposal for office document production services.
19. **08/24/09** USI Benefit Newsletter.
20. **08/25/09** RI Ethics Commission requesting input on four different options for persons filing Ethics Complaints.
21. **08/26/09** Letter from So. County Tourism Council announcing recent industry honors for the So. County Style Vacation Planner.
22. **08/27/09** Letter from Statewide Planning Program extending the grant application deadline to Friday, 10/02/09.
23. **08/27/09** Resolution from the Town of Portsmouth Regarding reinstatement of tolls on the Mt. Hope Bridge.
24. **08/27/09** E-mail from RI League of Cities & Towns requesting Exeter's participation on a conference call regarding H1 N1 – 9/2/09 at 11:00 am.
25. **08/27/09** Resolution from the Town of East Greenwich on Binding Arbitration for Teachers.
26. **08/28/09** E-mail from RI League of Cities & Towns with Executive Order 09-21 creating a Task Force to measure fiscal stress & financial condition of RI cities & towns.
27. **08/28/09** E-mail from Richard Bernstein regarding Mr. Mann's High Tower License from DBR.
28. **08/31/09** E-mail from Burrillville Town Council opposing Senate Bill 1012, An Act Relating to Towns & Cities – General Powers.
29. **08/31/09** Letter from Burrillville Town Council opposing Legislation for Binding Arbitration for Teachers.

30. 08/31/09 Newsletter from The Washington Trust.
31. 08/31/09 Letter from the 2010 Census Partner Support Program regarding our application.
32. 08/31/09 Resolution from the Town of Glocester opposing all efforts of the US Congress placing RI Communities in jeopardy of unapproved land use.
33. 08/31/09 Drafts of the 2008 Actuarial Valuations for the Municipal Employees Retirement System (MERS), & School Teachers Retirement Systems.
34. 08/31/09 Letter from David & Rebecca Murray regarding drainage at 11 Widow Sweets Rd.
35. 09/01/09 Letter of thanks from South County Community Action Agency.
36. 09/02/09 Municipal Tip Fee Rebates FY09.
37. 09/02/09 E-mail from RI League of Cities & Towns with approved 2008 Actuarial Valuations for the Municipal Employees Retirement Systems.
38. 09/03/09 Proposal letter from Jose Walsh Contractors for Exeter Public Library window repair
39. 09/04/09 Letter of Tri-Town Community Action offering their services to provide information to Exeter Seniors regarding Medicare and senior health insurance
40. 09/04/09 Invitation of North Kingstown American Legion Post 12 to annual Patriot Day commemoration, 9/11/09, 12:00 noon at RI Veterans Memorial Cemetery

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.