

AGENDA

**REGULAR MEETING
EXETER TOWN COUNCIL**

JUNE 7, 2010
7:15 P.M.

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

Items marked with an asterisk () are approved in No. 7, Consent Agenda, unless removed by a Town Council Member by request.*

- 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).**
- No. 4 ACKNOWLEDGEMENTS AND ANNOUNCEMENTS**
 - A. KELSEY EMRY, 246 WEST SHORE DRIVE, EXETER, HAS RECEIVED THE GOLD AWARD, THE HIGHEST AWARD IN GIRL SCOUTING.**
- No. 5 APPROVAL OF MINUTES**
 - A. SPECIAL COUNCIL MEETING OF APRIL 20, 2010**

- B. EXECUTIVE SESSION OF APRIL 20, 2010
- C. PUBLIC HEARING AND PRESENTATION OF THE MUNICIPAL BUDGET OF APRIL 29, 2010
- D. SPECIAL COUNCIL MEETING OF APRIL 29, 2010
- E. EXECUTIVE SESSION OF APRIL 29, 2010
- F. REGULAR COUNCIL MEETING OF MAY 3, 2010
- G. SPECIAL COUNCIL MEETING OF MAY 6, 2010
- H. EXECUTIVE SESSION OF MAY 6, 2010
- I. SPECIAL MEETING AND PUBLIC HEARING OF MAY 22, 2010

No. 6 APPROVAL OF AGENDA ORDER

No. 7 CONSENT AGENDA: Consent Agenda Items are approved in one motion, unless removed at the request of a Town Council Member.

A. REYNOLDS CHARITABLE TRUST

B. REPORTS

- 1. TREASURER'S/DEPUTY TREASURER'S REPORT
- 2. TOWN CLERK'S REPORT
- 3. PROBATE REPORT
- 4. TAX COLLECTOR'S REPORT
- 5. TAX ASSESSOR'S REPORT
- 6. DPW REPORT
- 7. IT REPORT
- 8. TOWN PLANNER'S REPORT
- 9. WELFARE DIRECTOR'S REPORT
- 10. EMERGENCY MANAGEMENT REPORT

11. ANIMAL CONTROL REPORT

C. COMMUNICATIONS: See Appendix A attached hereto and incorporated herein.

No. 8 APPOINTMENTS AND VACANCIES

A. VACANCIES

- 1. PERSONNEL BOARD MEMBERS
(5 MEMBERS TO REPLACE PRIOR BOARD)**
- 2. CONSERVATION COMMISSION (INACTIVE)**
- 3. ECONOMIC DEVELOPMENT COMMISSION (INACTIVE)**
- 4. MUNICIPAL FINANCE COMMITTEE MEMBER**
- 5. VISION FOR EXETER PROJECT MEMBERS**
- 6. OTHER**

B. APPOINTMENTS

C. EXPIRING TERMS

- 1. PLANNING BOARD: DANIEL PATTERSON; TERM EXPIRING JULY, 2010**
- 2. PLANNING BOARD: WILLIAM HAAS; TERM EXPIRING JULY, 2010**
- 3. ZONING BOARD: RENATE E.P. AKER; TERM EXPIRING JULY, 2010**

No. 9 PUBLIC HEARINGS

A. NEW APPLICATION; SECOND HAND DEALERS' LICENSE; SIMPSON BROS. AUTO SALES AND SERVICE INC. D/B/A AUTO COUNTRY SALES AND SERVICE; RYAN C. MORROW, APPLICANT; 9 INDUSTRIAL DRIVE, EXETER, RHODE ISLAND 02822; PLAT 33, BLOCK 1, LOT 16.

- B. NEW APPLICATION; CLASS 2 KENNEL LICENSE; SUSAN M. NEWELL, DVM, OWNER/APPLICANT; 23 NEW ROAD, EXETER, RHODE ISLAND 02822; PLAT 12, BLOCK 2, LOT 6.**

No. 10 NEW BUSINESS

- A. STORM DAMAGE UPDATE**
- B. FEMA REQUIREMENTS AND REPORTING**
- C. PERSONNEL ISSUES/LABOR NEGOTIATIONS**
- D. RHODE ISLAND HOUSING'S DRAFT AFFORDABLE HOUSING COUNT**
- E. CHARTER REVIEW COMMISSION RECOMMENDATIONS**
- F. DELINQUENT TAX COLLECTIONS: REPORTS FROM ROSSI & ROSSI AND OPAL DATA TECHNOLOGIES**
- G. NEW APPLICATION, VENDING/PEDDLER'S LICENSE: GASHY DOWLATSHAHI FOR BUSINESS LOCATED AT 560 SOUTH COUNTY TRAIL, EXETER, RHODE ISLAND, AP 72 B2 L10.**
- H. OPENING OF BIDS FOR HISTORICAL PRESERVATION PROJECT, WOODY HILL SCHOOL BUILDING, WOODY HILL ROAD, EXETER, RHODE ISLAND.**
- I. CESARIO ZONING ENFORCEMENT CASE**
- J. REQUEST TO DEPARTMENT OF ENVIRONMENTAL MANAGEMENT REGARDING ROUTE 102 PICNIC GROVE**
- K. FAMILY AND MEDICAL LEAVE POLICY**
- L. VENDING LICENSE APPLICATION OF SOUTHWESTERN COMPANY OF NASHVILLE, TENNESEE; STEPHEN J. PASCOE, OF ELIZABETH, ILLINOIS, AND WARWICK, RHODE ISLAND, APPLICANT; TO SELL EDUCATIONAL MATERIALS DOOR TO DOOR.**
- M. REQUEST OF EXETER VOLUNTEER FIRE DEPARTMENT #1 FOR A TEMPORARY LIQUOR LICENSE FOR AUGUST 8, 2010, FOR ITS ANNUAL CLAMBAKE FUNDRAISER.**
- N. TOWN WATER SUPPLY**

- O. **VENDING LICENSES: FARMERS' MARKETS, FLEA MARKETS, AND ARTISANS' MARKETS (MARKETPLACES)**
 - P. **APPROVAL OF HOLIDAY SCHEDULE**
 - Q. **COBRA ADMINISTRATIVE FEE**
 - R. **TRANSFER STATION CONTRACT**
 - S. **BORDERLANDS CONSULTANT CONTRACT**
- No. 11 UNFINISHED BUSINESS***
- A. **HISTORIC PRESERVATION**
 - B. **LADD CENTER ISSUES**
 - C. **A VISION FOR EXETER: Borderlands Village Innovation Project**
 - D. **CHARTER REVIEW COMMISSION**
 - E. **FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24)**
 - F. **REUBEN BROWN LANE DRAINAGE ISSUES**
 - G. **MUNICIPAL BANK ACCOUNTS**
 - H. **MUNICIPAL EMPLOYEES' PENSION PLAN REVISION**
 - I. **SCHARTNER FARMS/BALD HILL NURSERY PROPERTY**
 - J. **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"**
 - K. **BUSINESS LICENSING**
 - L. **SUPPLEMENTAL TANGIBLE PROPERTY ASSESSMENT AND BILLING**
 - M. **MOTOR VEHICLE REVENUE REDUCTION**
 - N. **TOWN HALL SECURITY ISSUES**

- O. PENSION INVESTMENT POLICY
- P. FY 2009 ANNUAL AUDIT (July 1, 2008 to June 30, 2009)
- Q. FY 2011 BUDGET PREPARATION
- R. NON-UNION EMPLOYEE BENEFITS
- S. TOWN POLICES AND PROCEDURES
- T. DEERBROOK RECLAMATION
- U. MIDDLE OF NOWHERE VICTUALING LICENSE APPLICATION

No. 12 REPORTS OF OFFICERS, BOARDS, COMMITTEES

- A. TAX COLLECTOR'S REPORT: Tax Collector's Clerk, Kimberly A. Robitaille*
- B. TAX ASSESSOR'S REPORT: Tax Assessor Tammy Boss*
- C. TOWN TREASURER'S REPORT: Town Treasurer Maria Lawler and Deputy Treasurer Joseph Gillis*
- D. TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP*
- E. EXETER IT REPORT: NK/Exeter IT Director Jason Albuquerque*
- F. EXETER WELFARE DEPARTMENT REPORT: Director of Public Welfare Sylvia J. Curry*
- 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 LIAISON'S REPORT: Town Council Member William P. Monahan**
- L. ANIMAL CONTROL LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom**
- M. EXETER JOB CORPS ACADEMY LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom**
- N. EXETER-WEST GREENWICH SCHOOL DISTRICT LIAISON'S REPORT: Town Council Member Arlene B. Hicks**
- O. EXETER PUBLIC LIBRARY LIAISON'S REPORT: Town Council Member Arlene B. Hicks**
- P. TAX COLLECTOR'S OFFICE 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 Lynn M. Hawkins***
- T. SOLICITOR'S REPORT: James P. Marusak, Esquire, Gidley Sarli & Marusak**

No. 13 BILLS, APPROPRIATIONS, ABATEMENTS

- A. BILL SHEET**
- B. TAX ASSESSOR'S ABATEMENTS**
- C. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS**

No. 14 COMMUNICATIONS: See Appendix A attached hereto and incorporated herein.

No. 15 OTHER BUSINESS

- A. SCHEDULE OF JUNE MEETINGS AND EVENTS***
- B. REYNOLDS CHARITABLE TRUST: Approval of**

Vouchers and Signing of Documents*

C. VENDING/PEDDLER'S LICENSE RENEWALS

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

G. SECURITY ISSUES

H. SCHATNER FARMS/BALD HILL NURSERY PROPERTY

No. 17 ADJOURNMENT

POSTED _____ AT EXETER TOWN HALL, EXETER POST OFFICE, EXETER PUBLIC LIBRARY, AND THE SECRETARY OF STATE'S WEBSITE

The public is welcome to any meeting or work session of the Town Council or its committees, boards, or commissions, with the exception of the Juvenile Hearing Board. If communications assistance is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office at least three (3) business days prior to the meeting at 401-295-7500 or clerk@town.exeter.ri.us. The Exeter Town Hall and Exeter Library are handicapped accessible.

APPENDIX A

C. COMMUNICATIONS:

1. **05/06/10** Resolution from the City of Warwick with legislation in support of the America's Cup Competition returning to the City of Newport.
2. **05/06/10** Resolution from the North Smithfield School Committee opposing 2010-S 2603 that mandates expired teacher contracts.
3. **05/06/10** Resolution from the Town of Middletown in support of the America's Cup Competition returning to the City of Newport.
4. **05/06/10** Resolution from the Town of Portsmouth in support of Resolution 2010-04-26 A on local spending.
5. **05/06/10** Resolution from the Town of Foster opposing Senate Bill 2010-S2603 that mandates expired contracts.
6. **05/06/10** Letter from RI Housing with final draft of the 2009 Low and Moderate Income Housing Chart.
7. **05/06/10** Letter from DEM, New Rabies Regulations.
8. **05/06/09** Legal ad from the Exeter Planning Board for a Public Informational Meeting, 05/25/10, Dutemple Meadows, Asa Davis, Owner/Applicant, for Conservation Development, Major Subdivision.
9. **05/06/10** Resolution from Bristol Warren Regional School District opposing 2010 – H 7581 on binding arbitration legislation.
10. **05/06/10** Invitation to the First Annual Celebration of Public Service, 5/12/2010, at the Scottish Rites Center (Masonic Hall).
11. **05/06/10** E-mail from Bruce Lowe regarding the traffic on South County Trail with the opening of the sports complex on 5/1/10.

12. **05/06/10** Letter of interest from Christopher G. Palmer to serve on the Borderlands Project.
13. **05/06/10** Letter from Laurie Pansa, Girl Scout Director, informing the Town that Kelsey Emry of Exeter Has achieved the Gold Award in Girl Scouts.
14. **05/06/10** Resolution passed by the Town of Charlestown waiving recording fees for flood victims.
15. **05/07/10** Notice from DEM with proposed rules and public workshops for the phase-out of cesspools.
16. **05/07/10** Resolution from the Scituate School Committee with resolution rejecting binding arbitration.
17. **05/07/10** Letter from SBA with two options for prepaid lease on site at 775 Ten Rod Rd. (Site RII3846A).
18. **05/07/10** Invitation to the First Public Service Conference, 5/12/10, in Cranston at the Scottish Rites Center.
19. **0510/10** Invitation to the J. Arthur Trudeau Memorial Center Hall of Fame Ceremony, 6/3/10, at the Quidnessett Country Club, North Kingstown.
20. **05/10/10** Letter from RI State Police granting the following raffles:

Exeter Public Library	08/27/10
EWG Sports 4 Kids	06/06/10
Character Build 50-50	10/18/10
RI Alliance of Social Ser. Local 580	06/18/10
21. **05/12/10** Notice from the Town of West Greenwich who has respectfully requested a copy of any new contract modifications approved by the School Committee with the Exeter-West Greenwich NEA and Council 94.
22. **05/12/10** Invitation to Frank J. Montanaro retirement party at RI Convention Center 0615/10.
23. **05/12/10** Letter with information from the RI Dept. Of Health and the American Heart Association.

24. **05/12/10** Resolution from the Westerly Town Council supporting the return of the America's Cup to the City of Newport.
25. **05/12/10** Narragansett Bay Research is having a presentation and discussion on preventing flooding and the impact on water quality 5/18/10 or 5/20/10.
26. **05/12/10** Letter from DEM with information on the Conservation Easement at the Ladd School property.
27. **05/12/10** Letter from RI Dept. of Transportation, Engineering Division, with project design plans for subject bridge rehabilitation.
28. **05/17/10** Resolution from the Town of Burrillville supporting repealing the motor vehicle and trailer excise tax elimination.
29. **05/17/10** Letter from Cathy Fulford responding to Suzanne Bailey dog complaints.
30. **05/17/10** Invitation from the State of RI to attend the 36th Annual Memorial Day Exercises at the RI Veterans Memorial Cemetery in Exeter.
31. **05/17/10** Letter from National Grid with information on operating hours, union contract, and contact information.
32. **05/17/10** Letter from The Nature Conservancy requesting tax exempt status.
33. **05/17/10** Letter from the RI State Police notifying Exeter that RI Alliance of Soc. Ser. Employees will be holding a raffle at Yawgoo Bakes on 6/18/10.
34. **05/17/10** Invitation to a farewell reception for Nadav Tamir and Rony Yedidia on 6/8/10 at the RI State House.
35. **05/19/10** Letter and Invitation from RI Housing to meet with the RI Tax Collectors Association on 5-25-2010 to discuss the Madeline Walker Act of 2006.

36. 05/19/10 Letter from the RI League of Cities and Towns regarding state budget decisions that may impact municipalities.
37. 05/21/10 Resolutions from the Exeter-West Greenwich Regional School District opposing the RIDE's proposed funding formula, contract continuation, and binding arbitration.
38. 05/24/10 E-mail from Terri Brooks, Office of Energy Resources, with information on filing the EECBG report.
39. 05/25/10 Requests from the Exeter Vol. Fire Dept. No. 1 for a temporary liquor license on 8-8-2010.
40. 05/25/10 Letter from DEM regarding, "The Grove" and requesting contact information for our Public Works Department.
41. 05/25/10 Letter and information packet from Wind Energy Development LLC with a request to meet with the Council.
42. 05/26/10 Invitation to an energy forum at URI, 6/5/10, at the Kingston Campus.
43. 05/27/10 Letter from the RI State Police granting a license to operate a raffle on 6/28/10 to Exeter-West Greenwich Little League.
44. 05/27/10 Invitation to RI Energy & Environmental Leaders Day, 06/16/10, in Washington, D.C.
45. 05/27/10 USDA information on County Committee Elections 2010 with fact sheet and important dates to remember.
46. 05/27/10 Letter from Communications Capital Group LLC with interest in the cell tower owned by the Town.
47. 05/27/10 Notice from the Zoning Board of South Kingstown of a Public Hearing on 6/16/10 regarding a petition from Charles Hickox III at 289A Yawgoo Pond Rd.

48. 05/27/10 E-mail from RI League of Cities & Towns with information to help adjust with proposed massive cuts in local aid.
49. 05/27/10 Letter from the State of RI Department of Revenue to Council President Calvin A. Ellis with notice of approval for the proposed property tax rate change.
50. 05/27/10 Notice from RI League of Cities & Towns of Overview of 2010 Supplemental & 2011 State Budget.
51. 05/27/10 Letter from DEM concerning "The Grove".
52. 06/01/10 Invitation from the Dept. of Public Safety, Div of the State Fire Marshal Office to the Groundbreaking Ceremony for the RI State Fire Academy at Ladd School 6/17/10.
53. 06/01/10 Amended Resolution from the Town of North Kingstown opposing mandatory binding arbitration.
54. 06/02/10 Invitation to the 12th annual Open Government Summit, 7/30/10, at the Roger Williams University Law School in Bristol.
55. 06/03/10 Letter from Diane Allen submitting Carla Benoist name to the Council to be considered for the vacancy on the Board of Canvassers.
56. 06/04/10 Town of Richmond Resolution, Waiver of Recording Fees for Special Loans for Flood Victims
57. 06/04/10 NECSLRA Conference Reminder
58. 06/04/10 Invitation to signing of Community Covenant, 6/14/10, hosted by Governor Donald Carcieri