

MINUTES
Town Council
Town of East Greenwich
Regular Session and Joint Session with School Committee
September 28, 2015 @ 7:00pm
Swift Community Center, 121 Peirce Street, East Greenwich, RI 02818

7:00pm ~ Call to Order & Pledge of Allegiance to the American Flag (Girl Scouts)

Town Council Present: M. Isaacs, S. Cienki, M. Schwager, W. Stone

Town Staff Present: T. Coyle, III, L. Botello, K. Benoit, P. Clarkin, E. McAndrew, C. Bradley, M. Fayton, W. Schmidle, R. McGillivray, M. Sullivan, S. Brown, S. Cirella, M. Pacillo, E. Vespia

School Committee Present: C. Mark, Y. Sun, D. Osborne, M. Fain, M. Winters, D. Gifford

Others: V. Mercurio, G. Dixon, N. McGeary, F. Holmquist, J. Laliberty

At approximately 7:05pm, President Isaacs called the meeting to order. Members of Brownie Troop 148 posted the colors and led the assembly in the Pledge of Allegiance to the American Flag.

Acknowledgments

- Girl Scouts Troop #277 Silver Awards

VP Cienki moved to approve the acknowledgments, seconded by Councilor Stone. Voted 4-0 all in favor, motion carried.

Presentations were made by Council and Senator Mark Gee.

Joint Session with School Committee

- Overview of consolidation
- IT briefing
- Report on all-day kindergarten (capital costs and construction plans)
- Preliminary budget discussion

Ms. Mark called the School Committee to order at 7:15pm.

Ms. Schmidle, IT Director, explained her vision of how a strong infrastructure benefits all departments and creates opportunities to find areas to share initiatives to support both the Town and the School. Benefits have already been implemented in finance and the phone system. She identified some opportunities for shared services based on the concept of building one and sharing the resource. Having a comprehensive infrastructure strategy will help in planning and budgeting for future years. It was suggested that Council members meet with the School's Technology Committee to address these issues and move forward on specific ideas. The Committee focuses mainly on back-bone technology and the budget.

It was noted that Councilors Todd and Stone are interested in meeting with the Committee and will report back to Council with their recommendations. Ms. Schmidle explained that the major costs associated with IT improvements are generally initiative driven.

Dr. Mercurio reported that at the last Building Committee meeting estimates from the contractor to make adjustments at Frenchtown to implement all-day kindergarten were upwards of \$400,000. After further review and planning to do some work in-house, the new estimate is around \$150,000. Construction costs will be covered by left over bond money and will not affect the budget. The program will be up and running in 2016 for all school-aged children. The method for estimating future enrollment and the acceleration of state funding was also discussed.

As part of the discussion on preliminary budgeting, the parameters of SB 3050 were explained. The maximum increase the School Committee can request is 4% over last year's budget or \$1,330,702 which would result in a tax increase of 2.5%. The maximum tax levy (all money collected) increase is 4.165%. The levy helps reduce tax increases in a particular year because it includes taxes on new construction.

The proposed budget schedule for FY 2017 was reviewed, which reflects dates that are driven by state law and the Town charter. The Town will meet with the School Committee on November 17th to exchange revenues on the Town side and expenditures on the School side for the next three years. Expectations and goals shall be discussed.

Dr. Gifford moved for the School Committee to adjourn at 7:50pm, seconded by Mr. Osborne. Voted 6-0 all in favor, motion carried.

Moved to Item 5a

1) Town Council Minutes

- a) August 24, 2015 (Regular and Executive Sessions)
- b) September 8, 2015 (Regular and Executive Sessions)

Councilor Stone moved to approve, seconded by VP Cienki. Voted 4-0 all in favor, motion carried.

2) Reports and Communications

- a) Public Comment (15-minute time limit for items NOT on the agenda)

Wendy Fachon of Pricewood Drive voiced her concerns over receiving a 13% increase on her tax bill this year and she also spoke on behalf of one of her neighbors on Pearl Street. President Isaacs explained that tax assessments in different neighborhoods drove the increase. She was encouraged to participate in the budget process.

Emile (Dean) Fachon of Pricewood Drive had the same concerns and felt the commercial establishments will feel the hit as people scale back on dining, etc.

b) Finance Report – July and August 2015

Ms. Benoit reported that tax collections through August were \$5,412,221 and there were no expenses on the school field's project or bond project. All departments are on track with spending. The Harbormaster increase is due to an increase in seasonal duties and journal entries are pending from the School Department to identify any surplus.

3) Public Hearing

4) Consent Calendar

- a) Approval of Halloween Parade Permit for annual parade on October 24th
- b) Approval of recommendations from the Tax Assessor for abatements, additions and omitted taxes for the 2014 and 2015 Real Estate, Personal Property and Motor Vehicle tax rolls.
- c) Approval of RENEWAL of Private Detective License for Edward Harris

VP Cienki moved to approve the Consent Calendar, seconded by Councilor Stone. Voted 4-0 all in favor, motion carried.

Move to Item 6a

5) Unfinished Business

- a) Setting a date for a special election for the purpose of filling a vacancy on the School Committee per Charter Section C-123 B.

The State Board of Elections has offered two dates to hold the special election on and they are December 29, 2015 or January 5, 2016. A lengthy discussion followed between the Board of Canvassers, Dr. Mercurio, members of the School Committee and Council regarding all of the potential issues related to one date or the other.

Councilor Stone moved to set the special election date on January 5, 2016; seconded by Councilor Schwager. After further Council discussion, it was voted 3-1 with Councilor Stone, Councilor Schwager and President Isaacs voting yes and VP Cienki voting no, motion carried. The date will be conveyed to the State Board of Elections.

Moved to Item 1

- b) Sewer bond referendum (presentation by Karen Grande, Bond Counsel, Locke Lord LLP)

Karen Grande provided insight on the Town's options for providing for a sewer bond referendum by issuing general obligation bonds. One option is under Rhode Island general law 45-12-2, also known as the 3% debt limit statute, which authorizes municipalities to issue bonds in an amount

not greater than 3% of the value of the taxable property without voter approval. The Town's charter would require voter approval at an annual or special Town meeting. The second option is to get a special act from the General Assembly to authorize the Town to issue general obligation bonds for a certain purpose and up to a certain amount. This is also subject to voter approval at either a general or special election on a date set by the Council, but not during a primary. Retroactive approval would be needed from the General Assembly. She added that the quickest way to get the bonds would be by holding a special Town meeting. A discussion continued on the allocation of funds and who pays for them. She spoke about the Town's 3% debt limit and some history on the statute. The RI Infrastructure Bank would be the source of funding. Further discussion followed on the timing of holding a special Town meeting versus the election process and the best way to educate the voters. If the referendum is not approved by the voters, the General Assembly will not authorize the issuance. The Town's Solicitor will provide an opinion on all options.

Move to Item 6d

- c) Approval to strike Condition 2 from Ordinance 796 approved December 15, 2008 to allow for CVS on South County Trail to operate a "MinuteClinic".

Patricia Rocha, attorney for CVS, provided a brief reminder about the traffic study they prepared which concluded that there would not be any significant traffic impacts associated with having a Minute Clinic at this location. Abutter's were notified and she presented an affidavit of notice and proof of mailings to Mr. Clarkin for the record.

Elaine Narducci, the Executive Director for Atmed Urgent Care Center in East Greenwich, spoke on behalf of their three physician/owners who are in opposition of the MinuteClinic.

Council discussed Ms. Narducci's statements. It was noted that it is not the purpose of zoning restrictions to provide competitive protection.

Ms. Rocha was given the opportunity to respond to the objections.

Following additional Council comments, Councilor Stone moved for the removal of Condition 2 from Ordinance 796 entitled Town of East Greenwich Zoning Ordinance adopted July 25, 2000 as amended, seconded by Councilor Schwager. Voted 4-0 all in favor, motion carried.

Moved to Item 5b

6) New Business

- a) Approval of TRANSFER of Victualing License for Rossendo, LLC d/b/a Tio Mateo's Mexican Grill & Greenwich Bay Gourmet FROM 537 Main Street TO 70 Cliff Street.

The applicant, Ross DiSegna, was present. He is moving from the CVS plaza to the old Print Shops building.

VP Cienki moved to approve subject to inspections by the Fire Marshal, Building Inspection and

Department of Health and the payment of all taxes, seconded by Councilor Schwager. Voted 4-0 all in favor, motion carried.

Moved to Item 5c

- b) Appointment of a Town member to serve on the Wood-Pawcatuck Wild and Scenic Study Committee

The Town is impacted on a very small scale. Council instructed Mr. Coyle to send the information to the Planning Department for suggestions or to see if a member of the Land Trust had an interest in participating.

- c) An ordinance in amendment of Chapter 260 Zoning (as amended); Article II Zoning Definitions, Section 260-6 Terms Defined; Article XV Administration and Procedures of Zoning Board of Review, Section 260-91 Standards of review and Attachment 1, TABLE 1 Table of Permitted Uses by Zone pertaining to marijuana (and related products) cultivation, distribution and sales. (FIRST READING AND INTRODUCTION - Public comment will be heard at the public hearing, the date for which will be set at this meeting).

VP Cienki moved to pass on first reading and set for public hearing on October 26, seconded by Councilor Schwager. Voted 4-0 all in favor, motion carried.

Moved to Item 7

- d) Approval of Resolution authorizing the submittal of the 2015 Community Development Block Grant Application

The Planning Board has already reviewed and recommended the program by an affirmative vote at their September 16, 2015 meeting.

Marcia Sullivan, Director of the Housing Authority, advised that any money they received would go towards the replacement of boilers.

Gerry Manning, Cornerstone Adult Services, advised that these funds would help to continue to fund services in adult day care programs for low income elders in several locations.

Janet Kenney, London Bridge Learning Center, explained how the funds help their families with childcare.

Councilor Stone moved to approve the resolution authorizing the submittal of the 2015 Community Development Block Grant Application, seconded by Councilor Schwager.

VP Cienki voiced her concerns with accepting CDBG money and the new changes in HUD regulations. President Isaacs clarified that the purpose of this vote is to submit the application but if Councilors are not comfortable with the language in the subsequent contract, they can reject the contract and not accept the grant money. Councilor Stone reiterated Ms. Bourbonnais's

comfort with the program as it relates to RhodeMapRI and the potential HUD changes. The RI League also supports the program.

Councilor Schwager concurred and noted that these funds are used for children, elders and disabled residents.

Voted 3-1 with President Isaacs, Councilor Stone and Councilor Schwager voting yes and VP Cienki voting no, motion carried.

Moved to Item 6b

7) Town Manager's Report

Mr. Coyle reported that the construction of the gazebo at the Barbara Tufts playground has begun and painting at the Recreation Building on Frenchtown Road has begun. Cornstalks on Main Street will be placed next week and he recently toured NEIT to view their expansion plans.

8) Council Comments

Several members requested a paving priority list from Mr. Duarte.

Councilor Schwager commended the Police Department on their involvement in the providing public safety at the recent march for racial justice.

President Isaacs reported that he invited Commerce Secretary Stefan Pryor to visit the Town to talk about the business friendly environment in East Greenwich. He mentioned a new grant program for Main Street initiatives. Future meeting dates were noted.

9) Public Comment (15-minute time limit)

None

10) Executive Session

There was no motion for Executive Session.

Councilor Stone moved to adjourn at 9:25pm, seconded by VP Cienki. Voted 4-0 all in favor, motion carried.

Leigh A. Botello, CMC
Town Clerk

APPROVED BY TOWN COUNCIL OCTOBER 14, 2015