

MINUTES
Town Council
Town of East Greenwich
Joint Session with School Committee and Regular Session
November 17, 2015 @ 7:00pm
Archie R. Cole Middle School, 100 Cedar Avenue
East Greenwich, RI 02818

7:00pm ~ Annual Joint Meeting with the School Committee

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

Town Staff Present: L. Botello, K. Benoit, J. Duarte, C. Bradley, E. McAndrew, W. Schmidle, R. McGillivray, S. Brown, S. Cirella, P. Clarkin

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

Others: Senator Gee, Dr. Mercurio, G. Wilcox, C. DiMeglio

At approximately 7:10 pm, President Isaacs called the Town Council meeting to order; followed by Chairwoman Mark who called the School Committee meeting to order. The assembly joined together in the Pledge of Allegiance to the American Flag.

1) Acknowledgments

- a) Brandon Zhang – The Johns Hopkins University Center for Talented Youth
- b) EGHS Unified Volleyball Team – Division 1 State Champions
- c) EGHS Girls Cross Country Team – Class C Champions
- d) EG Education Foundation – Spelling Bee Champions

Dr. Mercurio and President Isaacs presented commendations to all the students who were present and all were congratulated by the members of the Town Council and School Committee members.

- 2) Review the revenue and expenditure projections and to discuss issues affecting preparation of the school budget per RIGL 16-2-21.2 (d).

Projections of both revenues and expenditures are preliminary. The District's Strategic Plan and their priorities were briefly noted by Dr. Mercurio. Two driving forces are behind their budget development. One is all day kindergarten which by State mandate becomes effective September 2016 and the second is to revise the school start time the same so that the high school and middle school start at 8:00am. The Governor's workforce is looking at the funding formula to make recommendations to the General Assembly. Dr. Mercurio does not expect any major changes due to the work load and the time frame allotted. The district's ability to pay plays a large part of the

decision making at the General Assembly. The Finance Committee has been reinvigorated and has met with budget owners to begin working on the budget together.

Ms. Wilcox answered Council's questions regarding the School Committee's projected decline in Fund Balance and an increase in Tuition and Health Insurance costs which are down by 10%.

President Isaacs reiterated that the process is evolving and they will continue to work together and focus on similar goals. Council will want to understand their surplus and continue to look for areas of consolidation in Information Technology.

The School Committee recessed to the Library to continue with their meeting.

7:30pm ~ Regular Session ~ Call to Order & Pledge of Allegiance to the American Flag

Acknowledgments

VP Cienki moved to approve the acknowledgments as presented above, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

1) Town Council Minutes

- a) October 23, 2015 (Special Work Session)
- b) October 26, 2015 (Regular and Executive Sessions)

Councilor Stone asked for one correction on the October 26th regular session minutes to change a second to a motion from himself to Councilor Todd.

Councilor Stone moved to approve as amended, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

2) Reports and Communications

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

There were no public comments.

A letter from George Reed was presented stating that a few "Townies" want to replace the sign on the Warwick/East Greenwich border that rotted out in 1975 and was never replaced.

Moved to Item 6b

3) Public Hearing ~ Acting as Board of License Commissioners

- a) Approval of ANNUAL RENEWAL of Alcoholic Beverage Licenses with Victualing including those with Entertainment and Extended Hours for New Year's Eve from

December 1, 2015 through November 30, 2016.

The item was considered in conjunction with Item 6e for the approval of Victualing licenses.

Di Mare Seafood – no one was present.

Bistro 9 – no one was present. Mr. Coyle noted he received a call from Robert Gemma that he could not attend. Mr. Coyle advised him to have someone show up in his absence.

Norman's - Sharon Hazard explained that the family has decided to close the doors by the end of the year. She asked for an extension to allow them to reduce inventory and have a New Year's Eve party.

There were no public comments.

VP Cienki moved to approve the renewals for all license holders excluding DiMare, Bistro 9 and Norman's subject to required inspections and Certificate of Good Standing from the RI Division of Taxation, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

VP Cienki moved to extend the license for Norman's through January 2, 2016 including New Year's Eve, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

Council discussed the arrearage amounts and the recourse of tax sale for past due sewer bills. Solicitor Clarkin noted that the applicant and the property owner of Di Mare are affiliated. The details of the Bistro 9 renewal were discussed. All applicants that were not present will be told to be present at the next meeting or they could face closure.

Councilor Stone moved to extend the licenses for all others (Di Mare and Bistro) to December 7 and for the Clerk to inform the applicants to appear before Council on December 7, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Moved to Item 6e

- b) Approval of NEW Class BV Alcoholic Beverage License as an upgrade from Class BVL for Cobblestone Kitchen LLC d/b/a Cobblestone's Wood Fired Pizza, 5641 Post Road.

Al Olerio explained the change is to fulfill requests he has received from his customers.

VP Cienki moved to approve, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Moved to Item 3a

4) Consent Calendar

- a) Ratification of commendation presented to James Essex on his 50th Anniversary as Scoutmaster of Boy Scout Troop 2

- b) Approval of recommendation from the Tax Assessor for additions to the 2014 and 2015 Real Estate and 2015 Motor Vehicle tax rolls totaling \$67,481.73.
- c) Approval of recommendation from the Tax Assessor for abatements from the 2009 through 2015 Real Estate, Personal Property and Motor Vehicle tax rolls totaling \$35,311.68.
- d) Approval of NEW Class F Alcoholic Beverage License for East Greenwich United Methodist Church Fundraising Auction, November 21, 2015.

Councilor Todd moved to approve the Consent Calendar, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

5) Unfinished Business

- a) 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. (THIRD READING).

At the request of the Planning Director, it was noted that the item needs to be continued for further study.

Councilor Stone moved to continue the third reading to December 21, seconded by Councilor Todd. The indoor growing process involving CO2 was briefly discussed. Voted 5-0 all in favor, motion carried.

b) FY 2017 Capital Budget

Mr. Coyle reported that the list was prioritized by each Department Head. A more detailed discussion will be held when the Department Heads present their budgets to Council. It was suggested that Council provide input to the Town Manager as he begins to plan so he can prepare a more comprehensive capital plan based on a three year projection.

Mr. Duarte added that the Somerset Street neighborhood improvements could affect the current 3-year projections for every department if it becomes a priority for the next fiscal year.

6) New Business

- a) Approval of Rules for the Special Financial Town Meeting on December 1, 2015

Councilor Stone moved to approve, seconded by VP Cienki. Voted 5-0 all in favor, motion carried.

Moved to Item 6c

- b) Issues pertaining to Prospect Street, Green Street, Somerset Street, Spring Street, Liberty Street, Union Street and vicinity

Jody Stone, 16 Somerset Street, read a prepared statement about several areas of concern she and her neighbors share regarding their neighborhood. She made references to the historic significance of the neighborhood and a lack of maintenance on the street scape. Common issues are a concern for their children's safety, neglected and over-utilized road-ways and degrading standards of utilities and abutting commercial property. They requested a meeting with Council to discuss with neighbors, and an amendment of Comprehensive Community Plan to address how the revitalization of Main Street directly impacts their neighborhood.

Camille Speca, 35 Liberty Street, presented her concerns regarding the safety of Union Street such as the absence of curbing, no proper ingress or egress in the parking lot, no sidewalks and being too narrow for two-way traffic. She spoke about the overuse and inappropriate use of the parking lot; specifically lot striping not being adhered to, valet usage and large semi-trucks blocking streets because the streets are too narrow. The aesthetics of the adjacent warehouse were another concern; with rotten eaves, litter and pallet storage and no landscaping or barriers.

Kristy Stark, Somerset Street, requested a special meeting to address their concerns in more detail. They requested immediate attention to the following: traffic assessment, police presence during the beginning and end of the school day, 24 hour notice of reroutes, one-way designations, safety of warehouse parking lot and addressing any code violations, creation of complaint procedure for tracking, water main code and safety assessment, water quality testing, drainage and storm water assessment, street light and utility pole assessments.

President Isaacs stated that the Town is in the process of doing a traffic study in the area by Anna Novo. He suggested that the Town Manager review all the materials presented, secure the traffic study results and schedule a special meeting with the neighbors and Town staff. Ms. Stark asked for Council to identify what issues can be addressed immediately.

Peter Masterson from the Kent County Water Authority addressed their concerns about water quality which is a complex system that is tested over 100 times per month. They also discussed the recent water main break and spray painting in the streets which is driven by a call to Dig Safe. Mr. Duarte explained that when gas lines were installed, only half of the street was repaved, not curb to curb. More details will be presented during the work session.

There was a discussion about the location of bus stops and Beth Gibson added that she has some concerns over the safety of the children. She stated that she has tried to resolve the bus stop issue with the Superintendent's office and the bus company but per their policy, the length of the children's walk to their respective bus stops is within their parameters. This issue is solely within the purview of the School Committee.

Marisa Pollard, 45 Prospect Street, asked about the availability of money to make the improvements and President Isaacs briefly explained the budget formulation process. A discussion continued on the paving schedule, both past and present and how money is allocated from bonds and capital.

A resident on Spring Street who is a realtor noted that the values of real estate in the hill and harbor area continue to increase as do their taxes. He suggested that perhaps the tax increases could be justified if money to improve the neighborhoods was allocated more appropriately.

Councilor Todd added that he is spearheading the new East Greenwich app which will allow citizens to notify DPW when they see issues of concern around Town. The app would provide tracking and oversight. Text notifications would be sent to residents alerting them of street closures, etc.

Moved to Item 3b

- c) Award of bid to East Coast Construction for the construction of a multi-purpose nature/cross-country trail in the amount of \$1,195,500.

VP Cienki moved to award the bid to East Coast Construction for the construction of a multi-purpose nature/cross-country trail in the amount of \$1,195,500, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

- d) Authorization for the Department of Public Works to hire Tighe and Bond to provide engineering design services for the improvements to the wastewater treatment facility.

VP Cienki moved to qualify and select Tighe and Bond to provide the engineering design services and to authorize the Town Manager to enter into negotiations with the consultant for the Phase 2 and Phase 3 fees, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

Moved to Item 6f

- e) Approval of ANNUAL RENEWAL of Victualing Licenses from December 1, 2015 through November 30, 2016.

David Spaziano, applicant for Lidia's, was present and it was decided that he is not affiliated with the property owner and therefore, not responsible for past due sewer fees. It was noted that tenants would not be notified by the Town if a property went up for tax sale. It would be posted as a public notice in May.

VP Cienki moved to renew, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

Moved to Item 4

- f) Approval of ANNUAL RENEWAL of Juke Box/Mechanical Devices Licenses from December 1, 2015 through November 30, 2016.

VP Cienki moved to extend the Juke Box/Mechanical Devices License for Norman's until January 2, 2016 subject to approval from the Police Chief and the Building Inspector, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

VP Cienki moved to grant approval for the renewals to End Zone Pub, Fat Belly's, Greenwich Hotel, Fitzzy's Bar and Grill, The Oaks Tavern and West Bay Laundry subject to the approval of the Police Chief and Building Inspector, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

- g) Zoning amendment and concurrent Comprehensive Plan amendment for a petition to rezone the property known as Assessor's Map 67, Plat 13, Lot 34 located on New London Turnpike from Mixed Use Planned Development (MUPD) to Light Industry/Office (LI/O) to accommodate industrial use of a land-locked property abutting Interstate 95 (FIRST READING/INTRODUCTION).

VP Cienki moved to introduce on First Reading and set for Second Reading and Public Hearing on December 21, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

7) Town Manager's Report

Mr. Coyle reported that progress is being made with steel work at St. Luke's church. Also, work continues on Main Street sidewalk improvements as well as preparing for the annual Tree Lighting. He received a notice from RIDOT that the Town will receive \$300,000 to go towards the paving of Main Street and curb work. Mr. Duarte explained the projects timeline.

8) Council Comments

President Isaacs reminded Council of the new meeting schedule for the end of the year and noted that the annual Tree Lighting is December 3rd at 5pm.

The interview schedule for new applicants on Boards and Commissions was discussed.

Councilor Stone thanked Mr. Duarte for the drawings and cost estimates of the proposed boardwalk at Scaloptown Park. Councilor Stone had requested this in conjunction with his efforts to create greater access to the cove. He asked that less costly alternatives be considered and presented.

Councilor Todd asked Council to talk about amending the hours for sidewalk liquor service at a future meeting. President Isaacs noted that the East Greenwich Chamber of Commerce has called him about extending the permitted hours of service to include lunch.

9) Public Comment (15-minute time limit)

There were no public comments.

- 10) Executive Session per RIGL 42-46-5 (a) (1) to discuss the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting; (2) collective bargaining or litigation and (5)

discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public:

VP Cienki moved to go into Executive Session as noted and disclosed that all personnel received written notification, seconded by Councilor Todd. Roll call vote 5-0 all in favor, motion carried.

- a) Union negotiations (all)
- b) Update on any pending or previous settled litigation cases
- c) 333 Main Street
- d) Fire Chief Contract

Following the Executive Session, Councilor Todd moved to return to Open Session, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

Councilor Stone moved to seal the Executive Session minutes, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

VP Cienki moved to adjourn at 10:40pm, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

Leigh A. Botello, CMC
Town Clerk

APPROVED BY TOWN COUNCIL DECEMBER 21, 2015