

MINUTES
Town Council
Town of East Greenwich
Regular Session
December 7, 2015 @ 6:00pm
Town Hall, 125 Main Street, East Greenwich, RI 02818

6:00pm ~ Interviews for Boards and Commissions

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

Town Staff Present: T. Coyle, III, L. Botello

- William Sequino, Jr. for the Housing Authority

Mr. Sequino is the former Town Manager. He noted that he had an amicable relationship with the Housing Authority and worked collaboratively with them on several issues. He is familiar with their projects and budget and has institutional knowledge about the acquisition of Shoreside and compliance. He understands the relationship between subsidized and public housing. There are no immediate conflicts of interest unless his residence changes.

- Kevin Guerette for Municipal Land Trust

The charge of the Trust was discussed as was Boesch Farm, their largest project. Mr. Guerette explained he wanted to become more involved in the Town and was familiar with Boesch Farm and Pat's Pastured. He moved to East Greenwich after some decisions that were made in his native Manchester, CT made that area less appealing to raise a family. His financial background was discussed as well as that of the Trust. It was noted that the Trust's main goals are to look for grants and development rights to maintain open space.

- Laurie Horridge Bissonette for Personnel Board

Ms. Horridge comes highly recommended by Vincent Ragosta, a current member of the Board. She explained her professional qualifications and is serving as Counsel for the Narragansett Bay Commission. She currently oversees labor and employee relations in a mixed union/non-union work environment. She is not a member of a political committee.

7:00pm ~ Call to Order & Pledge of Allegiance to the American Flag

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

Town Staff Present: T. Coyle, III, L. Botello, P. Clarkin, S. Brown, S. Cirella, K. Benoit, J. Duarte, R. McGillivray, M. Sullivan

Others: J. DeMasco, Stenographer

President Isaacs called the meeting to order and led the assembly in the Pledge of Allegiance to the American Flag.

Acknowledgments

- Peri Sheinin for winning three straight Girl's Singles Tennis State Championships
- Carl I. Hoyer for serving over 10 years on the Juvenile Hearing Board
- Mary Lou Formisano for serving 2 years on the Historic Cemetery Advisory Committee

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

Peri Sheinin was not present but her father explained she was on her way.

Larry Tocci, Chair of the Juvenile Hearing Board, accepted the commendation on Mr. Hoyer's behalf.

Mary Lou Formisano was unable to attend but was acknowledged for her service to the Town.

1) Town Council Minutes

- a) June 9, 2015 (Financial Town Meeting)

Councilor Todd moved to approve, seconded by VP Cienki. 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.

Moved to 6a

- b) Financial Report – October 2015

Ms. Benoit provided highlights for the monthly financial report. Current year tax collections through October were \$16,543,980 equal to 30.30%. The School Fields Project had one expense of \$2,025 to Crossman Engineering this month. The cash Balance is \$1,045,289 including \$882,375 of encumbrance. The School Bond Project had no expenses this month. The project has total expenditures of \$46,666,926.49. The cash balance is \$2,236,660.36. She provided an explanation for any departmental expenditure that was over budget and noted that most of the operating departments are within +/- 6% of the expected 33.33% of the annual budget. Overages in Public Assistance and Fire Service Agreements were explained.

3) Public Hearing

- a) Approval of NEW Class BV Alcoholic Beverage License with Victualing and Entertainment for Foreign Events, LLC d/b/a KAI BAR, 232 Main Street.

Marshall Muir noted the location is in the old Alex and Ani building and the concept is a New York Style stand and mingle bar. The menu will be limited and minimal kitchen facilities have been approved by the Health Department. He plans to work with three other restaurants to offer other options for food and has been talking to RASA, KON and the Oyster Bar. The idea is to offer a place for diners to wait for their seats at existing restaurants during busy times. Seating will be provided on the outskirts of the bar, providing a mingling party atmosphere. A wine bar will complement the front area. He plans on providing piano and acoustic entertainment only, not a DJ or bands. The building provides for 14 parking spots in the rear and has a contingent agreement with a valet service. He is submitting an application for a zoning variance.

There were no public comments.

Councilor Todd moved to approve a NEW Class BV Alcoholic Beverage License with Victualing and Entertainment for vocal and instrumental, subject to approvals from the Building Inspector, Fire Marshal and the Department of Health, second by VP Cienki. Voted 5-0 all in favor, motion carried.

4) Consent Calendar

- a) Recommendation from the Tax Assessor for abatements to the 2015 Real Estate tax roll in the amount of \$18,270.33.
- b) Approval of NEW Holiday Sales License for Robin Barrett Wilson d/b/a robin b. clothier, 175 Main Street.

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

5) Unfinished Business

- 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. (continued from 11/17)

Di Mare Seafood – Katie Leonard was present and explained that her father owns the building and he is applying for a small business loan to satisfy the entire past due balance for real estate and sewer arrearages within the month. She was advised to come back on December 21 with documentation to show progress towards making payments and to provide an update to the Clerk prior to that meeting.

Councilor Stone moved to extend the license to December 21, seconded by VP Cienki. Voted 5-0 all in favor, motion carried.

Bistro 9 – Attorney Nicole Martucci was present on behalf of Avenger Land Management d/b/a Bistro 9. She requested postponement and extension of the license until December 21. There is a current consent order entered at RI Superior Court for outstanding sales taxes due to the Division of Taxation. The payment terms for the contested amounts will be finalized by December 18. She was unaware of the objection on file from All American Foods and the vendor was not present to address the past due amount. She was advised that tangible taxes are due December 15 and the NSF check for \$25 for their application fee needs to be cleared up and replaced.

VP Cienki moved to extend the license to December 21, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Greenwich Bay Oyster Bar – the applicant was not present. The Clerk advised she did leave him a message to attend and that she has not received clearance from the Division of Taxation.

Councilor Stone moved to extend the license to December 21, seconded by VP Cienki. Voted 5-0 all in favor, motion carried.

Kon Asian Bistro – their manager was present and reported that he went to the Division of Taxation this afternoon to take care of the outstanding issues.

VP Cienki moved to extend to the license to December 21 and to authorize the Clerk to issue prior to if all outstanding matters are resolved, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Outback – the Clerk advised that the license was issued.

Councilor Stone moved to renew the license for Outback, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Silver Spoon Bakery – Michael Tedesco was present and noted that he called the Division of Taxation today with no resolve. He will go to the Providence office tomorrow.

Councilor Todd moved to extend the license to December 21, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

PieZoni's - the applicant was not present. The Clerk was concerned that clearance has not been received from the Division of Taxation with regard to the transfer requested in April 2015. There are delinquent Town taxes. The Clerk spoke with the applicant today and advised him to appear. A discussion followed on how to proceed with closure or cease and desist orders. The Clerk advised they could remain open as a victualer only. The notification period and timeline was explained.

VP Cienki moved to extend the victualing license to December 21 but not the Class BVL license, seconded by Councilor Stone.

After further discussion, the motion and the second was withdrawn.

VP Cienki moved to extend the victualing license until December 21, seconded by Councilor Todd.

The Clerk shall draft a letter, reviewed by the Solicitor, to be delivered by the Police to remove any alcohol from the premises. Their alcoholic beverage license has not been renewed effective at midnight tonight.

Mr. Coyle advised that police make bar checks and any violations will be reported.

Voted 5-0 all in favor, motion carried.

6) New Business

- a) Approval of providing amplified music by D.J. for a special event at Post Office Café on December 9, 2015.

John Granata explained that the event is for the celebration of the 100th anniversary edition of the SoCo Providence magazine. He expects 80 to 90 people between the hours of 6 and 8pm.

VP Cienki moved to approve, seconded by Councilor Todd.
Parking for the event will be taken care of by their valet service.

Voted 5-0 all in favor, motion carried.

Peri Sheinin arrived and she was congratulated on her accomplishments as a member of the East Greenwich Girls Tennis Team. President Isaacs presented her with a commendation.

- b) Recommendation from the Tax Assessor on behalf of the New England Wireless and Steam Museum to consider a resolution to allow them to obtain full tax-exempt status.

Fred Jaggi, President of the Museum, explained the land was donated to the museum by the Merriam's. The land is slightly over the 5 acre exemption limit at 6.21 acres. The buildings are already tax exempt. This would allow the entire property to become tax-exempt.

Councilor Stone moved to grant full tax-exempt status to the New England Wireless and Steam Museum, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

- c) Reappointment of Heather Larkin to the Juvenile Hearing Board as an alternate member for a 1-year term to expire December 1, 2016.

VP Cienki moved to reappoint Heather Larkin to the Juvenile Hearing Board as an alternate member for a 1-year term to expire December 1, 2016, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

- d) Appointment to the Affordable Housing Commission to fill a vacancy for a 3-year term to expire July 14, 2017.

VP Cienki moved to appoint Susan Aitcheson to the Affordable Housing Commission to fill a vacancy for a 3-year term to expire July 14, 2017, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

- e) Approval of a Resolution of the Town of East Greenwich Town Council approving the financing of the construction, equipping, extension, replacement, repair and rehabilitation of the Town's sewer lines, sewage collection, and sewage treatment system and all attendant expenses, including but not limited to engineering costs through the issuance of bonds and notes in an amount not to exceed \$6,000,000.

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

7) Town Manager's Report

Mr. Coyle reported that the annual Tree Lighting was very successful and that the fencing around St. Luke' has been removed now that the steeple has been secured.

8) Council Comments

There were no Council Comments.

9) Public Comment (15-minute time limit)

There were no Public Comments.

10) Executive Session per RIGL 42-46-5 (a) (1) pertaining to personnel matters; (2) pertaining to 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.

Councilor Stone moved to go into Executive Session per RIGL 42-46-5 (a) (1) pertaining to personnel matters, (2) pertaining to 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. Anyone being discussed under (a) (1) has been informed of their right to discuss the matter in open session; seconded by Councilor Todd. Roll call vote 5-0 all in favor, motion carried.

- a) All collective bargaining agreement negotiations
- b) Fire Chief's contract
- c) Update on any pending or previous settled litigation cases

d) 333 Main Street

Following the Executive Session, VP Cienki 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 8:56pm, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

Leigh A. Botello, CMC
Town Clerk

APPROVED BY TOWN COUNCIL DECEMBER 21, 2015