

MINUTES
Town Council
Town of East Greenwich
Regular Session and Joint Session with School Committee
January 11, 2016 @ 6:00pm
Swift Community Center, 121 Peirce Street, East Greenwich, RI 02818

6:00pm ~ Executive Session per RIGL 42-46-5 (a) (1) Personnel (all persons to be discussed have been so notified) and (2) Collective Bargaining /Litigation.

Town Council Present: M. Isaacs, M. Schwager, W. Stone, S. Todd, and S. Cienki (arrived 6:20pm)

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

Councilor Stone moved to go into Executive Session per RIGL 42-46-5 (a) (1) Personnel (all persons to be discussed have been so notified) and (2) Collective Bargaining /Litigation, seconded by Councilor Todd. Roll call vote 4-0 all in favor, motion carried.

- 1) Fire Chief's Contract
- 2) Contract Negotiations – All
- 3) Update on any pending or previously settled litigation cases
- 4) Harris Marina

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

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

Council reconvened in Open Session.

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

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

Town Staff Present: T. Coyle, III, L. Botello, P. Clarkin, S. Brown, S. Cirella, J. Duarte, E. McAndrew, K. Benoit

School Committee Present: C. Mark, M. Winters, Y. Sun, M. Fain, D. Osborne, D. Gifford, M. Plain (member-elect)

Others: Dr. Mercurio, G. Wilcox, C. Malaga

At 7:08pm, President Isaacs called the meeting to order and Chief Brown led the assembly in the Pledge of Allegiance to the American Flag.

Acknowledgments ~ Swearing In Ceremony

- Matthew E. McLinden as Probationary Patrolman

- John J. Siligato as Probationary Patrolman
- Scott W. Cole as Probationary Patrolman

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

Chief Brown presented each new Patrolman to the Council by providing some details about their education and accomplishments. The oath of office was administered to them individually by the Town Clerk. Family members pinned their badges and all received accolades from the assembly.

At 7:20pm, Ms. Mark called the School Committee to order and welcomed Matt Plain, their new member-elect. She noted that he will be sworn in on Tuesday, January 19th.

JOINT MEETING WITH THE SCHOOL COMMITTEE PER RIGL 16-2-21 and 16-2-21.3

- Pre-budget meeting for the Town Council to present estimated revenues for FY 2017 and for the School Committee to present estimated total expenditures, projected enrollments, with resultant staff and facility requirements and any necessary or mandated changes in school programs or operations.

Dr. Mercurio reported that preliminary numbers for State Aid are indicating a decrease of \$163,000 due to elevated property values and median income averages. The Commissioner's commentary on new initiatives concerns him; specifically 'school choice' and what logistical and financial impact that could have on the next fiscal year.

Discussion followed on Charter Schools and their impact on the funding formula; also, reviewing assessed property values compared to real value. Anticipated net increases for additional bussing to accommodate later start times are \$90,000 and implementing all-day K is \$5,000. School bond money will be used to pay for renovations needed at Frenchtown which will be done by the Town's DPW staff. The School Committee's budget process is from January 19th through March 15th. Time will tell what the funding formula results in and if an appeal is warranted. There are no grant programs currently available to offset costs of the State's mandate on all-day K.

Presidents Isaacs added that although these meetings seem premature, they are required per State law. Departmental budgets have been submitted to the Town Manager and the Audit results are pending. Revenues are trending downward and still reflect the effects of the recession.

Ms. Winters moved to adjourn the School Committee, seconded by Dr. Gifford. Voted 7-0 all in favor, motion carried.

1) Town Council Minutes

- a) December 21, 2015 (Regular Session)

Councilor Stone moved to approve, seconded by Councilor Schwager. 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)

None

- b) Finance Report – November 2015

Ms. Benoit reported that current year tax collections through November were \$19,171,095 equal to 35.11%. The School Fields Project had no expenses and the cash balance is \$1,045,289 including \$882,375 of encumbrance. The School Bond Project had no expenses and the project has total expenditures of \$46,666,926. The cash balance is \$2,236,660. Line items that are over budget in the IT Department were explained.

- c) OPEB recommendation from the Finance Director

Ms. Benoit provided a summary of findings from several investment companies she contacted to compare options to The Trust; specifically RBC, Washington Trust, Citizens Investment and IMCA. Based on that information, she recommended that the Town consider choosing The Trust as the OPEB investment company. Colleen Bodziony, with The Trust, explained why the Town would not have to go out to bid. Council will need time to review all the proposals and formal approval by resolution is required. The item was continued to January 25th.

(7:45pm Councilor Todd was excused to attend to a personal matter).

3) Public Hearing

- a) An ordinance in amendment of Chapter 15, Alcoholic Beverages, Section 15-2, Consumption or Possession in Public Prohibited; and Section 15-8, Outdoor Sidewalk Liquor Service, as last amended in July 2013; and Chapter 218, Streets and Sidewalks, Article I, Use and Maintenance, Section 218-2, Use of Sidewalks for Dining and other purposes by Business Establishments (SECOND READING)

Steve Lombardi, Executive Director of the East Greenwich Chamber of Commerce, spoke on behalf of several restaurants on Main Street who support this request to extend the allowable hours to lunch time.

Mr. Coyle noted that no complaints have been received regarding the serving of alcoholic beverages on the sidewalks since it was implemented.

Councilor Stone moved to close the Public Hearing and move to Third Reading on January 25, seconded by VP Cienki. Voted 4-0 all in favor, motion carried.

4) Consent Calendar

- a) Application for Class F Alcoholic Beverage License for ROTARY CLUB OF EAST GREENWICH, FOOD AND WINE TASTING FUNDRAISER on April 1, 2016.

- b) Application for Class F Alcoholic Beverage License for SEW MANY THINGS, 2708 South County Trail, for a BUSINESS AFTER HOURS on January 19, 2016.
- c) Application for NEW Victualing License for THE NOOK COFFEE HOUSE, 307 Main Street.
- d) Recommendation for the Tax Assessor for additions to 2015 Real Estate in the amount of \$1,017.43 and abatements to Real Estate and Motor Vehicles in the amount of \$24,977.79.

Item 4c was removed from the Consent Calendar to be heard separately.

VP Cienki moved to approve Items 4a, 4b and 4d, seconded by Councilor Schwager. Voted 4-0 all in favor, motion carried.

Shannon Wylie, applicant for The Nook Coffee House, stated she will be serving pastries, coffee, tea and health drinks. The location is next to Dante's Kitchen.

Councilor Stone moved to approve the application subject to all inspections including the Building Inspector, Fire Marshal and Department of Health, seconded by VP Cienki. Voted 4-0 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).

Solicitor Clarkin stated the he and the Planning Director have agreed to go forward with this to avoid something opening on Main Street and to allow regulation at a local level. A lengthy discussion followed regarding privacy, growing individually versus cooperatively, special use permits and zoning variances. The ordinance gives the Town some authority and can be amended as needed if conflicts arise with the State.

VP Cienki moved to adopt the ordinance as written, seconded by Councilor Stone. Voted 4-0 all in favor, motion carried.

6) New Business

- a) Bi-annual review of Town Council Rules and Guidelines

Councilors had no comments.

- b) Unsolicited newspaper delivery (letter from Town Council/proposed ordinance)

Residents have been complaining about this and phone calls to the Publisher of the Providence Journal have not been returned.

VP Cienki moved to send a letter to the Providence Journal regarding the issue of unsolicited delivery of promotional newspapers, seconded by Councilor Schwager. Voted 4-0 all in favor, motion carried.

c) Fire Chief's Contract

The item was continued to January 25th.

d) Main Street Rehabilitation

Mr. Duarte reported that RIDOT is willing to give the Town \$200,000 to pave Main Street but it is contingent upon the Town first addressing 50 handicapped ramps to bring them up to ADA compliance. RIDOT will provide \$100,000 for the ramp improvements. RIDOT can do the entire project but they will not be able to start until 2018/2019; which is much later than Mr. Duarte had hoped to begin. Mr. Duarte feels that the Town would need to spend another \$400,000 to make all the ramp improvements and an additional \$250,000 to address the sidewalks. This work can be done by Cardi, the Town's contractor. In total, the Main Street improvements will be approaching \$1,000,000.

Councilors discussed managing the project in phases but all the ramps would still have to be completed first. Just paving would cause excessive patching and make the ramps less accessible. It was suggested to inquire whether RIDOT would reimburse the Town for all expenses so that the project can be designed in 2016 with construction in 2017 and completed in 2018. Mr. Duarte will follow up at the January 25th meeting.

7) Town Manager's Report

Mr. Coyle attended the State Preservation Award Ceremony at the Odeum. They received over \$600,000 in grant which they will use to address ADA compliance and the sprinkler system in the theater. He has received budgets from all Departments and has been working with the Finance Director on reviewing them. He will present a draft of the FY 2017 Capital Outlay on January 25th.

8) Council Comments

Councilor Stone suggested taking a look at alternative revenue sources other than taxes, such as fees. The Commercial Impact Fee that the Fire District used to collect was discussed.

President Isaacs noted that a work session needs to be scheduled with the Hill and Harbor residents to review the analysis done by Ana Novo, Traffic Engineer. Dates will be confirmed.

9) Public Comment (15-minute time limit)

There were no public comments.

10) Executive Session per RIGL 42-46-5 (a) (1) Personnel (all persons to be discussed have been so notified) and (2) Collective Bargaining /Litigation.

- a) Fire Chief's Contract
- b) Contract Negotiations – All
- c) Update on any pending or previously settled litigation cases
- d) Harris Marina

There was no motion for Executive Session.

VP Cienki moved to adjourn at 8:35pm, seconded by Councilor Stone. Voted 4-0 all in favor, motion carried.

Leigh A. Botello, CMC
Town Clerk

APPROVED JANUARY 25, 2016 BY TOWN COUNCIL