

MINUTES
Town Council
Town of East Greenwich
Regular Session
January 25, 2016 @ 6:00pm
Town Hall, 125 Main 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); (2) Collective Bargaining /Litigation and (5) related to the acquisition or lease of real property for public purposes.

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

Others: T. Coyle, III, L. Botello, P. Clarkin

President Isaacs called the meeting to order.

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); (2) Collective Bargaining /Litigation and (5) related to the acquisition or lease of real property for public purposes, seconded by VP Cienki. Roll call vote 5-0 all in favor, motion carried.

- Fire Chief's Contract
- 333 Main Street
- Union negotiations
- Update on any pending or previously settled litigation cases
- 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.

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

6:20pm ~ Interviews for Boards and Commissions

- 1) Roberta Quinlan for Juvenile Hearing Board

Due to illness, Ms. Quinlan was unable to attend.

- 2) Leanne Zarrella for Juvenile Hearing Board

Ms. Zarrella explained that she has experience in real estate law and is a certified attorney for minor children as a Guardian Ad Litem in Connecticut. She has three children in the school system and is looking to get more involved in the community. She has been settling estates in Rhode Island for over 20 years. The mission of the Board was discussed and that the position is for an alternate position.

Council took a brief recess at 6:30pm.

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, C. Bradley, J. Duarte, W. Schmidle, K. Benoit, R. McGillivray, L. Bourbonnais

Others: C. Marks, C. Malaga, C. Bodziony

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

Acknowledgments

- Swearing In of Matthew Burke as a Firefighter
- Swearing In of Kevin Lang as a Firefighter
- Richard Friend for serving four years as Chair of the Cove Management Advisory Commission
- Anne Palumbo for serving four years on the Juvenile Hearing Board

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

Chief McGillivray presented both firefighters to Council and provided details on their education and accomplishments. They were sworn into office by Ms. Botello. Matthew received his badge of office from his mother, Delores. Kevin received his badge of office from his father, Kevin Lang, Sr.

Mr. Friend was presented his commendation. Ms. Palumbo was unable to attend and will receive her commendation in the mail.

VP Cienki was presented a special commendation for being appointed as the 2016 Rhode Island State Director for the National Foundation of Women's Legislators.

1) Town Council Minutes

- a) January 11, 2016 (Regular and Executive Sessions)

Councilor Todd 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)

There were no public comments.

b) Financial Report – December 2015

Ms. Benoit reported on the highlights for the monthly financial report.

c) Information Technology Strategic Overview and Initiatives

Ms. Schmidle gave a presentation on the overall strategy of the IT Department. The main focus was on the core municipal activities dictated by federal or state regulations. She spoke about internal efficiencies and external effectiveness as the building blocks. Suggestions were provided for improvements in areas such as hardware infrastructure, office automation systems and transaction processing. Furthermore, she explained how the Town could use utilize multiple technology tools to promote transparency and provide information to residents. The Town also needs to be prepared to react when and if State law changes. Geographical Information System (GIS) was discussed in detail as another tool that could be used internally and by residents on the Town's website. The goal is to roll out GIS in March with a parcel layer and then build from there. Before offering mobile apps, she recommended doing a Town-wide branded mobile ready website first. Increased costs would come from training and implementation. Using social media as a communication tool was briefly discussed.

3) Public Hearing

None

4) Consent Calendar

a) RENEWAL of Drain Layers Licenses

b) Reappointments to Boards and Commissions

- i. Chris Feisthamel to the Historic Cemetery Advisory Commission for a 3-year term to expire November 30, 2018.
- ii. Guy Asadorian to the Quonset Point Development Corporation Board for a 3-year term to expire December 31, 2018.

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

Moved to Item 6h

5) Unfinished Business

- 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 (THIRD READING)

Councilor Stone moved to adopt on third reading, seconded by Councilor Schwager. Voted 4-0 all in favor (Councilor Todd was temporarily absent), motion carried.

- b) 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 (THIRD READING).

VP Cienki moved to adopt on third reading, seconded by Councilor Stone. Voted 4-0 all in favor (Councilor Todd was temporarily absent), motion carried.

Moved to Item 5e

(Councilor Todd returned to the meeting).

- c) Town Manager's DRAFT of FY 2017 Capital Outlay

Mr. Coyle explained that he reviewed the initial requests for capital projects from Department Heads and made cuts resulting in a total of \$966,718 which is currently \$193K more than FY 2016. The Fire Department is not included as they have a capital reserve account which could be depleted with the purchase of a new rescue. Chief McGillivray explained the need for a new rescue and explained what other funds the Fire Department has access to. Bonding for additional asphalt work was discussed or other funding sources. Ms. Benoit was asked to provide an analysis of new and existing debt for road bonds. The costs to repair sidewalks were briefly discussed. Ms. Schmidle explained how her capital requests relate to the initiatives and strategy she previously presented. Council priorities were discussed such as signage clean up and kiosks. Replacing streetlights using a National Grid program and funds available for finishing the McHale Project at the high school were also discussed.

Moved to Item 5f

- d) 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 12/21)
 - i. Di Mare Seafood

Katie Leonard reported that payments were made today in full on both sewer and real estate.

Councilor Stone moved to renew the license subject to confirmation that all taxes and sewer fees have been paid, seconded by VP Cienki. Voted 5-0 all in favor, motion carried.

- ii. Bistro 9

VP Cienki moved to renew the license for Bistro 9, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

Moved to Item 6c

- e) Fire Chief's Contract

VP Cienki moved to adopt the Fire Chief's contract, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

Moved to Item 5c

- f) Council Reminder List

Mr. Coyle explained that Council will be updated as needed to address Council's priorities.

6) New Business

- a) Ordinance adopting a codification and revision of the ordinances of the Town of East Greenwich, County of Kent, State of Rhode Island; repealing certain ordinances not included therein; and making certain changes in previously adopted ordinances (FIRST READING AND INTRODUCTION).

Ms. Botello explained that per the Charter, a recodification is due every 10 years and the last one was done in 2005.

VP Cienki moved to introduce on first reading and set for public hearing on February 22, 2016, seconded by Councilor Schwager. Voted 5-0 all in favor, motion carried.

Further clarification was requested on any changes not previously considered by Council.

- b) Amendments to Chapter A263, Development and Subdivision Review Regulations, made in conjunction with the 2015 update of the Town's Code.

Item was tabled until February 22, 2016.

Moved to Item 6d

- c) Resolution authorizing the adoption of The Trust's OPEB Funding Program.

Colleen Bodziony explained the process to choose the investment strategy. Discussion followed on choices made by other members, access to funds, fees and reports.

Councilor Stone moved to pass the resolution authorizing the adoption of The Trust OPEB Funding Program and to select the growth strategy portfolio, seconded by VP Cienki. Voted 5-0 all in favor, motion carried.

Move to Item 6e

- d) Authorization for the Town Manager to seek a five-year extension of the mandatory sanitary sewer connects from RIDEM for the residents in the Cedar Heights Sewer Project.

VP Cienki moved to authorize the Town Manager to seek a five-year extension of the mandatory sanitary sewer connects from RIDEM for the residents in the Cedar Heights Sewer Project, seconded by Councilor Stone.

Many residents have requested the Town to seek an extension or exceptions due to the recession and financial hardships they have experienced over the past few years. 29 households still need to be connected.

Voted 5-0 all in favor, motion carried.

Moved to Item 6f

- e) Authorization for the Department of Public Works to continue the Howland Farms Sewer and Roadway Improvements project.

Mr. Duarte provided details related to the history of the project. Complications with access, road improvements and changes in ownership have caused the project to be delayed. The RI Infrastructure Bank approved the Town's application for a loan of \$6,000,000 for improvements at the wastewater treatment plant with the condition that the Town give an estimated drawdown schedule for the loan issued in 2010 which included financing for the Howland Farms project. They are expecting a reply by the end of February. Mr. Duarte recently met with Joseph Farside, representing the homeowner's association and their attorney Peter Nolan and feel the project can continue in good faith.

Joseph Farside, 14 Howland Farm Road, stated that the neighbors will decide in next 2 – 3 months whether to continue or not. Although not all homes are in the association, the roadway improvements affect all of them. Mr. Duarte is looking for a commitment from all.

The bond is tied specifically to this project and cannot be used for anything else. If the neighbors decide not to continue, the bond will be reduced significantly and the infiltration project on South Pierce Road can be completed. Repayment for the road is specific to the residents and sewer usage is tied to the users. Mr. Duarte will try to get an extension from the RI Infrastructure Bank. Discussion followed on the costs associated with the project. Mr. Duarte will report back next month.

Moved to Item 5a

(Councilor Todd left the meeting for a few moments).

- f) Award of contract extension to Synagro Northeast, LLC for the collection, transportation, treatment and disposal of the Wastewater Treatment Plant sludge for years eleven through sixteen per the bid tabulation sheet.

Mr. Duarte requested a change in the years to eleven through fifteen.

VP Cienki moved to award the contract extension to Synagro Northeast, LLC for the collection, transportation, treatment and disposal of the Wastewater Treatment Plant sludge for years eleven through fifteen per the bid tabulation sheet, seconded by Councilor Stone. Voted 5-0 all in favor, motion carried.

g) Development Impact Fees

The collection of these fees is allowed by state law upon new development to fund all or a portion of the capital improvements affected by the new development for which it is collected. There are several categories or purposes that the funds can be used for such as parks and recreation projects, water systems, public service, etc. An impact fee study is required by state law and used to address a full range of needs connected to the multi-year capital plan. The last study was done in 2011 in-house when the Fire District was a separate entity. Most recently, their comparable communities have hired consultants for around \$25,000. Ms. Bourbonnais spoke about her proposal in 2011 to collect a commercial impact fee, which could have been used to address road system improvements. She further explained how the Town will identify projects, how the assessment numbers are set by growth rate and how the cost per capita is created. The consultant will recommend the fee structure and Council will adopt it.

Chief McGillivray added that the Fire District started collecting commercial and residential impact fees in 2002 and collected over \$1,000,000 that was used on several projects that never affected taxpayers. The fee structure was based on use and occupancy of new construction. He gave the example related to the new dorms at New England Tech whereas now they can only charge a plan review fee which is significantly less than what the impact fees would have been. The Fire Department currently has \$400,000 frozen in litigation pending settlement in court.

Moved to Item 7

h) Discussion and vote on process for appointment to School Committee to fill a vacancy.

The Charter allows the Town Council to appoint a replacement when there is less than one year left in the term. In the past, Council accepted letters of interest and interviewed candidates they were interested in. Council discussed a deadline and how to disseminate the information.

Councilor Stone moved that the following process be established for appointment to fill the School Committee vacancy - letters of interest will be solicited and due by the close of business on February 8th after which the Town Council will select applicants to be interviewed after which an appointment will be made, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Moved to Item 5d

7) Town Manager's Report

All Department Heads are reviewing fees statewide to see how the Town compares to other communities and also looking for new revenue sources.

A letter was sent to RI DOT regarding the possibility of the Town funding road and sidewalk repairs including ADA compliance and then being reimbursed by RI DOT. Also, he is waiting for a reply from bond counsel to see if that arrangement would affect the Town's bond rating.

DPW and Parks and Recreation staff were commended on a job well done with the first snow storm.

8) Council Comments

Councilor Schwager asked for clarification on the impact fee structure chart.

Councilor Stone expressed interest in a new concept to gather feedback from local developers on a new approach to affordable housing as well as doing business in Town. Members of the Planning Board, Affordable Housing Commission and Housing Authority would be included.

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); (2) Collective Bargaining /Litigation and (5) related to the acquisition or lease of real property for public purposes.

- Fire Chief's Contract
- 333 Main Street
- Union negotiations
- Update on any pending or previously settled litigation cases
- Harris Marina

There was no motion for Executive Session.

At 10:05pm, VP Cienki moved to adjourn, seconded by Councilor Todd. Voted 5-0 all in favor, motion carried.

Leigh A. Botello, CMC
Town Clerk

APPROVED BY TOWN COUNCIL FEBRUARY 22, 2016