

MINUTES
Town Council
Town of East Greenwich
Special Meeting
February 4, 2019 at 7:00 PM
Town Hall, 125 Main Street, East Greenwich, RI 02818

(1) Call to Order and Pledge of Allegiance to the American Flag

Town Council (5/5): Mark Schwager, President; Michael Donegan, Vice President; Caryn Corenthal, Renu Englehart and Michael Zarrella

Town Staff: Joseph Duarte, Acting Town Manager/Director of Public Works; Leigh Carney, Town Clerk; Andrew Teitz, Esq., Town Solicitor; Lisa Bourbonnais, Director of Planning; Wendy Schmidle, Director of IT; Catherine Bradley, Director of Community Services and Parks; Thomas Mears, Acting Fire Chief; Anthony Davey, Tax Assessor; Cpt. Stanley Cirella, Deputy Chief of Police

Others: Robert Wilmarth, Director of Facilities

President Schwager called the meeting to order. Following introductions, he led the assembly in the Pledge of Allegiance to the American Flag.

(2) Council President Announcements

President Schwager encouraged residents to sign up on the Town's website Notify Me link to receive information on Town meetings.

(3) Public Comments (15 minute time limit for items NOT on the agenda)

None

(4) Reports and Communications

- (a) Presentation by RISE Engineering on energy-efficiency services that reduce operating expenses of home and businesses.

Councilor Corenthal explained how she benefited from an energy evaluation over the summer. She introduced Eileen Barrett, a Supervisor, with RISE Engineering who provided details on the services they offer to residential customers and rental property owners. Residents can find more information on the Town's website. Customers can call every three years for an energy audit. Mr. Duarte added that the Town has benefited from an audit in previous years.

- (b) Overview of Land Developments Projects by Planning Director, Lisa Bourbonnais.

Ms. Bourbonnais gave a presentation entitled Land Development in East Greenwich. A brief overview was given of activity in 2018 by the Town's regulatory boards: Zoning

Board of Review, Historic District Commission and Planning Board. A map depicted the location of pending residential developments in Town. Additional information was presented on 15 years of Planning Board activity. A virtual tour was given on the following developments: Castle Street Cottages, 32 Exchange Street, 461 Main Street, 695 Main Street, 981 Main Street, The Imperial on Greenwich, Coggeshall Preserve, Vistas on the Trail, Residences at Middleberry, Brookside Terrace, Frenchtown Place, Cedar Hill Farms/Cedar Hill Woods, Whispering Woods, Forest Lane, Frenchtown Highlands, Greenwich Cove Brewery and a potential solar site.

Discussion ensued on the amount of affordable housing units required in the Comp Plan, density, solar project application process, objections to the brewery, parking variances, impact fees, affordable housing taxes, comprehensive permits, Planning staff workload and tax assessments. Discussion continued on Council's capacity to approve sewer projects and user rates.

- (c) Overview of Department of Public Works by DPW Director, Joseph Duarte including organizational structure, personnel, responsibilities and priorities for 2019.

Mr. Duarte presented a comprehensive overview of the Department of Public Works. Details were provided on the following departments: Building/Zoning, Building Maintenance, Highway Division, Engineering Department, Sanitation/Solid Waste and the Wastewater Treatment Facility. DPW projects done in house have saved \$831K since 2009 and \$1 million dollars in grants have been secured. Priorities include upgrades to the Wastewater Treatment Facility, Town Hall roof replacement, drainage issues in Historic District, road paving/sidewalks, Route 2 National Grid gas main installation and highway facility improvements. Discussion ensued on State Aid for road/sidewalk improvements and sewer use/flow rates.

Public Comments were accepted.

Bill Higgins, 88 Greenwich Blvd, received clarification from Ms. Bourbonnais on information presented on the unit rates for residential developments.

Motion to reorder the agenda to move to Item (7) (a) made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion Carried 5 – 0

Moved to Item (7) (a).

(5) Consent Calendar

- (a) Revision to Access to Public Records (APRA) Policy

- (b) Application for Class F Alcoholic Beverage License for Rhode Island Second Amendment PAC for a Fundraiser/Dinner being held at the Varnum Memorial Armory, 6 Main Street on February 26, 2019.
- (c) Recommendation from the Tax Assessor for abatements to the 2017 tax roll in the amount of \$3,564.38 and abatements to the 2018 tax roll in the amount of \$22,232.00
- (d) Correction of term expiration date from January 28, 2022 to December 31, 2021 for Jeffrey Cianciolo on the Quonset Point Development Corporation.

Mr. Davey addressed his recommendation for abatements. Ms. Carney addressed changes presented in the APRA policy.

Motion to approve the Consent Calendar made by Michael Donegan, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion Carried 5 – 0

(6) Unfinished Business (Discussion/Action)

- (a) Annual Renewal of Class BVL Alcoholic Beverage Licenses with Victualing for Feast Sandwich Company d/b/a Fire Heard, LLC for the period December 1, 2018 through November 30, 2019 for Feast Sandwich, 431 Main Street (continued from January 28, 2019).

Solicitor Teitz noted that the applicant filed for a new restraining order against the Town and was recently heard in Kent County Superior Court. The judge approved a four week extension and put the Division of Taxation on notice. The case will be heard again at the end of February. The order only applies to the existing Class BVL license and does not include any consideration for an entertainment license at this time. It is not expected that the Division of Taxation will forgive past due taxes or interest. If the order expires without State clearance, liquor service will end. Liability to the Town is minimal with the court order in place.

Motion to table made by Michael Zarrella, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion Carried 5 – 0

Moved to Public Comments

(7) New Business (Discussion/Action)

- (a) Review of Municipal Capital Improvements Program (CIP).

Ms. Bourbonnais explained the adoption procedure as stated in the Chapter 55 of the Town's Code. She noted that the process seems to be unusual and counter-productive and should be reviewed.

Mr. Duarte noted the plan should be used for budgeting and is not a financial document. The definition of a capital item based on cost and accounting systems was debated, which supported previous views on amending the ordinance. Discussion ensued on the past practice of bundling items and the effect that has on the operating budget.

Ms. Schmidle addressed her list of requested items: radio fire alarm boxes, Fire CAD/RMS software, and digital voice recording system for Fire/Police, MUNIS application modules.

Discussion ensued on the capital improvement plan requirements, and how to use it as a tool for inventory assessment. Comparisons were made between last year's process and this year's. Mr. Duarte added that bonding is a funding option being investigated.

Ms. Schmidle addressed questions on operating funds over six years and noted that the Town's initiatives drive her capital budget.

President Schwager acknowledged Mr. Wilmarth and noted that a separate work session is scheduled at a later date with the School Committee.

Ms. Bradley explained that a few projects in her six year program are related to the comprehensive plan and are for planning purposes only. She provided details on projects for the next year including municipal tennis courts. Discussion ensued on court reconstruction and the possibility of consolidated bidding with the School Department. Other items are replacing a pickup truck and a mower.

Mr. Duarte explained the Department of Public Works needs to replace three trucks, miscellaneous equipment, trash compactor, plows, road bond and improvements at the wastewater treatment plant. He recommended getting a bond to fund all major projects in one year. Discussion ensued on the effect securing a bond would have on the budget.

Capt. Cirella addressed the Police Department's needs for four new vehicles. Discussion ensued on previous elimination of capital reserve funds.

Acting Chief Mears explained the need to replace a rescue/engine vehicles and equipment. Discussion ensued on grants and the negative effects of delayed purchases.

Mr. Wilmarth address the School Committee's list of needs district wide. Discussion ensued on previous cuts to maintenance programs, master planning report by a consultant and the delay of acting on the building needs assessment plan.

Discussion ensued on the content of the Planning Board's letter of recommendation.

No action was taken. It was noted that once the first year plan is included in the budget, the six year plan should be accepted as well.

Returned to Item (5) Consent Calendar

(8) Public Comments (30 minute time limit)

Bill Higgins, 88 Greenwich Boulevard, commented on the APRA policy and asked that public documents be accessible on-line. Solicitor Teitz will take under advisement and discuss with the Clerk. Discussion ensued on the options for requesting public documents. Liz McNamara then asked how much Michael D'Amico has billed the Town (which is requesting information, not a document). It was noted that a workshop is being scheduled in March for all Boards and Commissions members regarding the APRA and the OMA.

(9) Council Comments

Councilor Corenthall provided an update on the consolidated work group's actions. She addressed the transition from old to new Council and the lack of financial management.

Councilor Zarrella advocated for the return of Municipal Court as a source of revenue. Solicitor Teitz concurred.

VP Donegan commented on recent interactions with the School Committee with regard to requesting supplemental appropriations. He acknowledged and thanked them for their decision not to file a Caruolo Act lawsuit.

(10) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a) (1) pertaining to the approval of the Executive Session minutes from December 18, 2018.
- (b) Closed pursuant to RIGL 42-46-5 (a) (1) for the purpose of discussing the job performance, character or physical or mental health of a person or persons; specifically to review the consulting services of Michael D'Amico and the extension of his contract (notice provided).
- (c) Closed pursuant to RIGL 42-46-5 (a) (1) for the purpose of discussing the job performance, character or physical or mental health of a person or persons; specifically to review the legal services agreement with Ursillo, Teitz & Ritch, Ltd. (notice provided).
- (d) Closed pursuant to RIGL 42-46-5 (a) (2) pertaining to litigation regarding possible Caruolo Act Lawsuit.
- (e) Closed pursuant to RIGL 42-46-5 (a) (2) pertaining to collective bargaining to discuss labor negotiations for all union contracts.

Motion to go into Executive Session per RIGL 42-46-5 (a) (1) for the purpose of approving Executive Session minutes from December 18, 2018, reviewing the consulting services of Michael D'Amico and the extension of his contract (notice provided) and to review the legal services agreement with Ursillo, Teitz & Ritch, Ltd. (notice provided)

and RIGL 42-46-5 (a) (2) pertaining to litigation or collective bargaining regarding possible Caruolo Act lawsuit and to discuss labor negotiations for all union contracts made by Michael Zarrella, seconded by Michael Donegan

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion Carried 5 – 0

Council convened in Open Session.

Action was taken. Council voted to approve the Executive Session minutes from December 18, 2018, and to authorize the Town Manager to spend up to \$3,500 on actuarial services to support the Fire Department negotiations and to extend the contract of Michael D'Amico through the end of fiscal year 2019 which is June 30, 2019.

Motion to seal the Executive Session minutes and made by Michael Donegan, seconded by Michael Zarrella

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

(11) Adjournment

Motion to adjourn made by Michael Zarrella, seconded by Renu Englehart

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion Carried 5 – 0

Submitted By:

Leigh A. Carney, CMC
Town Clerk

Approved By Town Council:
(PENDING)

AUDIO FILE AVAILABLE IN TOWN CLERK'S OFFICE