

MINUTES  
Town Council  
Town of East Greenwich  
Regular Meeting  
February 25, 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 Councilors (4/5): Michael Donegan, Vice President; Caryn Corenthal, Renu Englehart and Michael Zarrella (arrived at 8:05pm) (Excused: Mark Schwager, President)

Town Staff: Joseph Duarte, Acting Town Manager/Director of Public Works; Leigh Carney, Town Clerk; Andrew Teitz, Esq., Solicitor; Wendy Schmidle, Director of IT; Anthony Davey, Tax Assessor; Lisa Bourbonnais, Director of Planning; Col. Stephen Brown, Chief of Police; Capt. Stanley Cirella, Deputy Chief of Police; Thomas Mears, Acting Fire Chief

Others: Carole Malaga, Stenographer

VP Donegan called the meeting to order at 7:08pm. Following introductions, he led the assembly in the Pledge of Allegiance to the American Flag

(2) Council President Announcements

None

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

Representative Justine Caldwell stated that she is meeting with the House Fiscal Advisor tomorrow along with VP Donegan, Superintendent Mercurio and Chairwoman Mark to review the State educational funding formula. She will also usher the tiered tax resolution through the General Assembly if approved. Additionally, universal pre-K will not become effective in the fall. She will debrief Senator Valverde.

(4) Town Council Minutes

- (a) January 24, 2019 (Regular and Joint Meeting w/School Committee)

Motion to approve made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart

Motion Carried 3 – 0

(5) Reports and Communications

- (a) Overview of Police Department, including organizational structure, responsibilities, and priorities for 2019.

Chief Brown provided a brief overview of the Police Department. Details were provided on staffing levels including three vacancies and the four divisions; administrative, detective, juvenile and patrol. Priorities for 2019 include filling the three vacancies (2 patrol and 1 ACO) and reinstating the vehicle replacement fund. Discussion ensued on animal control, increased traffic flow on Route 2, valet parking, seasonal increases and enforcement at the waterfront and vehicle replacement.

There were no public comments.

- (b) Overview of Fire Department, including organizational structure, responsibilities and priorities for 2019.

Motion to table made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart

Motion Carried 3 – 0

(6) Public Hearing

- (a) Application for a NEW Class BV Alcoholic Beverage License with Victualing and Outdoor Sidewalk Liquor Service for East Greenwich Tavern LLC d/b/a Tavern on Main EG, 50 Main Street.

The applicant, Christian D'Agostino, explained the business plan. Solicitor Teitz addressed concerns with outdoor seating and the absence of legal justification supporting it. He recommended holding back the approval for outdoor seating for further investigation. VP Donegan explained the reasons why planning/zoning approval is required based on requested capacity and parking arrangements. Director Bourbonnais added that prior approval of outdoor seating does not exist at the planning level but records do show previous capacity inside was approved at 135. Additional relief may be required for additional seating. After further discussion, the applicant was agreeable to having the item continued to March 11<sup>th</sup>.

Motion to continue to March 11<sup>th</sup> made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart

Motion Carried 3 – 0

Mr. D'Agostino was directed to clarify the number of outdoor tables with the Clerk.

There were no public comments.

(7) Consent Calendar

- (a) Application for RENEWAL of Private Detective License for Benjamin Lupovitz, 25 Ivy Garden Way, East Greenwich, RI.

- (b) Application for Class F1 Alcoholic Beverage License for Providence Ballet Theatre to hold a Gala at the Varnum Armory, 6 Main Street, on March 9, 2019

Motion to approve the Consent Calendar made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart

Motion Carried 3 – 0

(8) Unfinished Business (Discussion/Action)

- (a) Approval of Transfer of Ownership of a Class BV Alcoholic Beverage License with Victualing and Entertainment from Foreign Events LLC d/b/a Kai Bar to Kai Bar LLC d/b/a Kai Bar, 232 Main Street.

Town Clerk Carney reported that clearance was received from the State Division of Taxation.

There were no public comments.

Motion to approve made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart

Motion Carried 3 – 0

(9) New Business (Discussion/Action)

- (a) An ORDINANCE in amendment of the Code of the Town of East Greenwich; Chapter 260 Zoning, Article II Zoning Definitions, Section 260-6 Terms Defined addressing "Building Height" and "Freeboard" and amending "Attachment 2" of Chapter 260, Zoning of the Town Code, *Table 2: Table of Dimensional Regulations by Zone* to address maximum allowable structure heights (First Reading/Introduction).

Director Bourbonnais explained that State law changed in June 2018 and becomes effective March 1, 2019. She provided a brief summary of the amendments which have to do with building height measurements related to flooding. Town definitions now need to match State law. The Planning Board vetted the amendment and there were no public comments during those hearings. Discussion ensued.

(Councilor Zarrella arrived).

There were no public comments.

Motion to advance the draft ordinance to second reading and public hearing and advertise as required made by Renu Englehart, seconded by Michael Zarrella

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion Carried 4 – 0

- (b) RESOLUTION supporting legislation allowing the Town of East Greenwich to enact a tiered tax classification system in non-revaluation years.

VP Donegan introduced the item and explained how the resolution could empower the Town to create different tax rates for personal property, commercial and tangibles. It requires adoption by the General Assembly and allows rate changes in non-revaluation years. Lengthy discussion ensued on exemptions for small businesses and self-reporting of tangible values.

Steve Lombardi, Executive Director of the East Greenwich Chamber of Commerce, spoke on behalf of small business owners and expressed their concerns about tax burdens.

Discussion continued on the state statute's language and potential amendments to the draft resolution to allow more flexibility to include both relief from ratios and an exemption for the first \$10K of personal property.

Steve Lombardi liked the spirit but couldn't say it would work for all because he represents all sizes of business but it would probably benefit Main Street.

Motion to modify the resolution to include language similar to Gloucester and Providence with enabling legislation to provide relief from ratios and to exempt up to the first \$10,000 of personal tangible property made by Michael Zarrella, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion Carried 4 – 0

- (c) Award of Bid to Alden Bailey Restoration Corp., 54 Danbury Road, Ridgefield, CT for the Town Hall Slate Roof Restoration Project in the amount of \$438,010.

Motion to approve made by Renu Englehart, seconded by Caryn Corenthal

Mr. Duarte commented on the scope of the project and the bid results and recommended the award of bid. Discussion ensued on the life span of the slate which is 100 years.

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion Carried 4 – 0

(10) Public Comments (30 minute time limit)

None

(11) Council Comments

Councilor Corenthal commented that she met with the VP at New England Tech regarding internships. She will be addressing this with the School Committee as well.

(12) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a) (1) and (2) pertaining to the approval of the Executive Session minutes from January 24, 2019.
- (b) Closed pursuant to RIGL 42-46-5 (a) (1), discussion and action regarding litigation, EG Firefighters Assoc., et al., v. Corrigan, et al., KC-2018-0926.
- (c) Closed pursuant to RIGL 42-46-5 (a) (1), discussion and action regarding litigation East Greenwich v. State Labor Relations Board, et al., PC-2018-7872.
- (d) Closed pursuant to RIGL 42-46-5 (a) (1), to discuss the job performance, character, or physical or mental health of a person or persons, with regard to selecting a Fire Chief (notice provided).

Motion to convene into Executive Session pursuant to RIGL 42-46-5 (a) (1) and (2) for the approval of Executive Session Minutes from January 24, 2019 and to remain in Executive Session pursuant to RIGL 42-46-5 (a) (1) for discussion and action regarding litigation, EG Firefighters Assoc. et al v. Corrigan, et al, KC-2018-0926; and for discussion and action regarding litigation East Greenwich v State Labor Relations Board, et al, PC-2018-7872; and to discuss the job performance, character or physical or mental health of a person or persons, with regard to selecting a Fire Chief (notice provided) made by Renu Englehart, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion Carried 4 – 0

Council reconvened into Open Session.

Action was taken on all four items. A vote was taken to approve the Executive Session minutes and votes were taken on items (b), (c) and (d) which remain under seal.

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

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion carried 4 – 0

(13) Adjournment

Motion to adjourn at 10:05pm made by Michael Zarrella, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Zarrella

Motion Carried 4 – 0

Submitted By:

Leigh A. Carney, CMC  
Town Clerk

Approved By Town Council:  
(PENDING)

DRAFT