

MINUTES
Town Council
Town of East Greenwich
Regular Meeting
June 10, 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 (arrived at 7:06pm); Caryn Corenthal, Renu Englehart and Michael Zarrella

Town Staff: Joseph Duarte, Acting Town Manager/Director of Public Works; Leigh Carney, Town Clerk; Wendy Schmidle, Director of Information Technology; Catherine Bradley, Director of Community Services and Parks; Patricia Sunderland, Finance Director; Col. Stephen Brown, Chief of Police; Capt. Stanley Cirella, Deputy Chief of Police

Others: Michael D'Amico, Financial Consultant; Paula Duran, Stenographer

The meeting was called to order at 7:04pm. Following introductions, President Schwager led the assembly in the Pledge of Allegiance to the American Flag.

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

None

(3) Consent Calendar

- (a) Minutes from May 6, 2019 (Special Meeting - Open Session)
- (b) Minutes from May 20, 2019 (Special Meeting - Open Session)
- (c) Minutes from May 28, 2019 (Regular Meeting - Open Session)
- (d) Annual RENEWAL of Laundry Licenses for the following businesses:
Waterford Laundromat, 561 Main Street
West Bay Laundry and Dry Cleaners, 5675 Post Road
- (e) Application for NEW/RENEWAL of Holiday Sales Licenses for the following businesses:
Anderson's Ski & Dive Center, 5865 Post
Road Back to Basics, 500 Main Street
Bags By Iris, 93 Main Street
Cartridge World, 776 Main Street Civil, 86 Main Street
CVS Pharmacy #311, 507 Main Street
CVS Pharmacy #5107, 1285 South County
Trail Estee Bridal, 50 Cliff Street

Flood Ford, 2545 South County Trail
Frenchtown Liquors, 2550 South County
Trail Green Door, 130 Main Street
Le's Isle Rose, 1000 Division Street
Savory Grape, 1000 Division Street
Teddy Bearskins, 5600 Post Road
Thorpes Wine and Spirits, 609 Main Street
Wildwood Nurseries, 659 Frenchtown Road
Zuzu's Petals, 165 Main Street

- (f) Application for a NEW Private Detective License for Andre Rocke, 90 Deerfield Drive, East Greenwich, RI

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

Ayes: Corenthal, Englehart, Schwager, Zarrella

Motion carried 4 – 0 with Michael Donegan being absent at the moment

(4) Unfinished Business (Discussion/Action)

- (a) An ORDINANCE to amend the Code of the Town of East Greenwich, Chapter 227 thereof, entitled "TAXATION", adding Article XVI "TIERED TAX CLASSIFICATION PLAN" and Article XVII "Small Business Tangible Property Tax Exemption". [THIRD READING]

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

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (b) An ORDINANCE authorizing the Town of East Greenwich to issue general obligations bonds, notes and other evidences of indebtedness to finance the acquisition, improvement, renovation and repair of facilities, vehicles and equipment for the Police, Fire, Public Works and Parks Departments, including reconstruction of municipal tennis courts, the acquisition of information technology, and all attendant expenses, including but not limited to engineering costs not to exceed \$2,700,000 (referendum not required). [THIRD READING].

Motion to approve the ordinances as drafted made by Michael Donegan, seconded by Michael Zarrella

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

President Schwager noted that all three ordinances are non-codifiable.

- (c) An ORDINANCE authorizing the Town of East Greenwich to issue general obligation bonds, notes and other evidences of indebtedness to finance the renovation, rehabilitation, repair, replacement, improvement, furnishing, equipping and installation of schools, school facilities and infrastructure, including but not limited to safety and fire-code related improvements, roofs, heating, ventilation, electrical systems, landscaping, grounds, athletic fields, information technology, vehicles and food service facilities not to exceed \$5,000,000 (referendum required). [THIRD READING].

Motion to approve the ordinance as drafted made by Michael Donegan, seconded Michael Zarrella

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (d) An ORDINANCE authorizing the Town of East Greenwich to issue general obligation bonds, notes and other evidences of indebtedness to finance 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 not to exceed \$4,500,000 (referendum required). [THIRD READING].

Motion to approve the ordinance as drafted made by Michael Donegan, seconded by Michael Zarrella

President Schwager noted that the bonds for schools and sewers will appear on a ballot in November 2019.

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

(5) Public Hearing

- (a) PUBLIC HEARING on FY 2020 Budget (continued from May 28th).

There were no additional public comments.

Motion to close the public hearing made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

(6) New Business (Discussion/Action)

(a) Adoption of FY 2020 Budget

- i) Approval of amendment to Board of Canvassers budget to increase the total amount from \$10,000 to \$21,600 for referendum.

Motion to approve an amendment to Board of Canvassers budget to increase the total amount from \$10,000 to \$21,600 for referendum made by Michael Donegan, seconded by Caryn Corenthall

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- ii) Approval of amendment to Planning Department budget to increase the total amount from \$218,965 to \$258,965 for waterfront study.

Motion to approve an amendment to Planning Department budget to increase the total amount from \$218,965 to \$258,965 for waterfront study made by Michael Donegan, seconded by Renu Englehart

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- iii) Approval of FY 2020 Budget.

Motion to approve the FY2020 Budget made by Renu Englehart, seconded by Michael Donegan

President Schwager commented on the entire budget process and summarized the major changes. He thanked all involved in the creation of the budget.

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (b) Re-appointment of Stephen Mendes to the Cove Management Commission for a three-year term to expire July 1, 2022.

Motion to re-appointment Stephen Mendes to the Cove Management Commission for a three-year term to expire July 1, 2022 made by Caryn Corenthall, seconded by Michael Donegan

Ayes: Corenthall, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (c) Appointment of a regular member to the Cove Management Commission to fill a vacancy for a three-year term to expire July 1, 2019 and to automatically re-appoint for a full three-year term to expire July 1, 2022.

Motion to appoint Bill Weedon as a regular member to the Cove Management Commission to fill a vacancy for a three-year term to expire July 1, 2019 and to automatically re-appoint for a full three-year term to expire July 1, 2022 made by Caryn Corenthel, seconded by Renu Englehart

Ayes: Corenthel, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (d) Appointment and re-alignment of William Hangan (D) from an alternate member to a regular member of the Board of Canvassers to serve a six-year term to expire June 10, 2025.

Motion to appoint and re-align William Hangan (D) from an alternate member to a regular member of the Board of Canvassers to serve a six-year term to expire June 10, 2025 made by Michael Donegan, seconded by Renu Englehart

Ayes: Corenthel, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (e) Appointment of a regular member to the Planning Board to fill a vacancy for the remainder of a three-year term to expire May 1, 2022.

Motion to appoint Chris Pels as a regular member to the Planning Board to fill a vacancy for the remainder of a three-term to expire May 1, 2022 made by Caryn Corenthel, seconded by Renu Englehart

Ayes: Corenthel, Donegan, Englehart, Schwager

Abstain: Zarrella

Motion carried 4 – 0 – 1

- (f) Appointment of a regular member to the Planning Board to fill a vacancy for the remainder of a three-term to expire May 1, 2022.

Motion to appoint Eric Jautais as a regular member to the Planning Board to fill a vacancy for the remainder of a three-term to expire May 1, 2022 made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthel, Donegan, Englehart, Schwager

Abstain: Zarrella

Motion carried 4 – 0 – 1

- (g) Appointment of a regular member to the Planning Board to fill a vacancy for the remainder of a three-term to expire January 1, 2021.

Motion to appoint Kevin Murphy as a regular member to the Planning Board to fill a vacancy for the remainder of a three-term to expire January 1, 2021 made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager

Abstain: Zarrella

Motion carried 4 – 0 – 1

- (h) Recommendation by Town Manager to award a three year contract to Constellation NewEnergy for fixed electricity supply rates.

Mr. Duarte explained the parameters of the agreement and the REAP program. He addressed concerns about residential rates and solar credits. Council discussion ensued.

Motion to authorize the Town Manager to enter into an agreement with Constellation NewEnergy for the purchase of electricity at the most favorable fixed electricity supply rates attainable for a three year term made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

- (i) Recommendation by Town Manager to award a three year contract to Direct Energy Business for fixed natural gas supply rates.

Mr. Duarte explained the parameters of the agreement. Council discussion ensued.

Motion to authorize the Town Manager to enter into an agreement with Direct Energy Business for the purchase of natural gas at the most favorable fixed electricity supply rate for a 3 year term made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

(7) Public Comments (30 minute time limit)

Robert Vespia, 155 Shippeetown Road, commented on construction taking place at the overpass at Shippeetown Road and Route 95. He was concerned with public safety. Mr. Duarte was asked to address the issue and follow up.

(8) Council Comments

None

Motion to convene into Executive Session per RIGL 42-46-5 (a) (2) pertaining to litigation and collective bargaining to approve Executive Session minutes from April 29, May 13 and May 20, 2019 and remain in Executive Session per RIGL 42-46-5 (a) (2) to discuss the NEARI contract, the IBPO Local 472 contract, litigation matters as listed on the agenda and to discuss the claims of Christopher Lamendola made by Renu Englehart, seconded by Michael Donegan

Ayes: Corenthal, Donegan, Englehart, Schwager, Zarrella

Motion carried 5 – 0

(9) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a) (2) for sessions pertaining to litigation and collective bargaining to approve Executive Session minutes from April 29, 2019, May 13, 2019 and May 20, 2019.
- (b) Closed pursuant to RIGL 42-46-5 (a) (2) pursuant to collective bargaining for discussion related to the NEARI contract.
- (c) Closed pursuant to RIGL 42-46-5 (a) (2) pursuant to collective bargaining for discussion related to the IBPO Local 472 contract.
- (d) Closed pursuant to RIGL 42-46-5 (a) (2) pertaining to litigation regarding:
 - Perry, et. al. v. East Greenwich, 1:18-cv-00134-W ES-LDA (FLSA litigation);
 - Gorman v. East Greenwich, KC-2017-1160;
 - Aveyard v. East Greenwich, KC-2017-1304;
 - East Greenwich v. IAFF Local 3328, KC-2017-1276;
 - Grady v. Dykeman, KC-2018-0991;
 - Perry v. East Greenwich, KC-2018-1214;
 - Benoit v. Corrigan, KC-2017-1302;
 - Perry v. East Greenwich, KC-2017-1274;
 - Kitchin v. Corrigan, KC-2018-0176;
 - Perry v. East Greenwich, KC-2018-0830;
 - Unfair Labor Practice Complaint ULP-6217;
 - Unfair Labor Practice Complaint ULP-6220;
 - Unfair Labor Practice Complaint ULP-6226;
 - AAA Case 01-18-0002-6263 (arbitration re failure to fill Chief Clerk position);
 - AAA Case 01-18-0003-9032 (arbitration re Robert Warner termination);

- AAA Case 01-17-0005-5708 (L. Perry discipline);
- AAA Case 01-17-0006-7696 (L. Perry layoff);
- AAA Case 01-18-0000-6528 (L. Perry recall).

- (e) Closed pursuant to RIGL 42-46-5 (a) (2) sessions pertaining to litigation to discuss the claims of Christopher Lamendola.

Following the Executive Session, Council reconvened into Open Session.

Action was taken on item (a) and voted unanimously to approve the minutes. No action taken on items (b) or (c). Councilor Zarrella recused himself from the matter of AAA Case 01-18-0003-9032 (arbitration re Robert Warner termination) and no action was taken. Action was taken on the matter of Perry, et. al. v. East Greenwich, 1:18-cv-00134-W ES-LDA (FLSA litigation) and the Unfair Labor Practice cases in item (d) which remain under seal until finalized. Action was taken on item (e) which will also remain under seal until finalized.

Motion to seal the Executive Session minutes made by Michael Zarrella, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Schwager, Zarrella

Motion carried 4 – 0 with Renu Englehart absent

(10) Adjournment

Motion to adjourn at 11:00 PM made by Michael Zarrella, seconded by Caryn Corenthal

Ayes: Corenthal, Donegan, Schwager, Zarrella

Motion carried 4 – 0 with Renu Englehart being absent

Submitted By:



Leigh A. Carney, CMC
Town Clerk

Approved By Town Council:
(PENDING)