

**MINUTES**  
**Town Council**  
**Town of East Greenwich**  
**Regular Meeting**  
**June 26, 2017 at 6:30 PM**  
**Town Hall, 125 Main Street, East Greenwich, RI 02818**

(1) Roll Call

Town Council Present (4/5): S. Cienki, S. Todd, A. Deutsch, M. Schwager, (N. Granatiero - absent)

Town Staff Present: L. Carney, G. Corrigan

(2) Interviews for Boards and Commissions

(a) Kathleen (Katie) Keefe for Planning Board

Ms. Keefe stated that she has spoken with current members on the Planning Board to get a better understanding of logistics, research and the volume of work. She is an Executive Board Member of the East Greenwich Education Foundation as their Secretary. Her background in undergraduate admissions, the recusal process and her interest in volunteering while making an impact at a regulatory level were discussed.

(b) Matthew Leathers for Personnel Board, Planning Board, or Affordable Housing Commission

Mr. Leathers expressed an interest in getting involved in the community but not sure where he would fit best. After discussing how each board operates and the Comprehensive Plan, he felt that the best fit would be either on the Affordable Housing Commission or the Personnel Board.

(3) Roll Call and Pledge of Allegiance to the American Flag

Town Council Present (4/5): S. Cienki, S. Todd, A. Deutsch, M. Schwager, (N. Granatiero - absent)

Town Staff Present: L. Carney, G. Corrigan, D. D'Agostino, S. Brown, S. Cirella, R. McGillivray, L. Bourbonnais, C. Bradley, J. Duarte, D. Bazar

President Cienki called the meeting to order at 7:07pm and led the assembly in the Pledge of Allegiance to the American Flag.

(4) Acknowledgements

(a) Stuart D. Hallagan IV for attaining the rank of Eagle Scout

**Motion to approve made by Mark Schwager, seconded by Andrew Deutsch.**

President Cienki and Councilor Schwager had previously presented the commendation to Stuart at his Court of Honor.

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

(5) Town Council Minutes

- (a) May 15, 2017 Special Session and Joint Session with School Committee
- (b) May 22, 2017 Executive and Regular Sessions
- (c) June 5, 2017 Special Session

**Motion to approve made by Sean Todd, seconded by Andrew Deutsch.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

(6) Reports and Communications

- (a) Public Comment (15-minute time limit for items NOT on the agenda)

David Caldwell, 8 Aurora Road, commented that Councilor Deutsch declined to have a constituent meeting recorded after consulting with counsel. Consultants were hired to run the Town which he stated was a conflict. He asked for greater transparency to understand what is going on in Town and for Council to explain what they can talk about or not and why. He asked for answers to be made in public to the following questions: Was there an interview for the acting Town Manager position and if so how was it conducted and if not, why not? Were there any other candidates for the Town Manager position? If not was it because we know that no one else in the Town's government is qualified to be the Town Manager? What is an acting Town Manager? Is she legally the Town Manager or an informal adviser? Would she be permitted to be a candidate to be the permanent Town Manager? His opinion was that the obvious conflict of interest makes the answer no. President Cienki explained that Council members are limited by statute on what they can or cannot say. Councilor Deutsch defended the intention of his meeting and added that he took advice from a personal attorney. He apologized for not recording the meeting. President Cienki continued about increased transparency, hiring consultants, One Town initiatives and the presentation of a 30/60/90 day plan on July 10.

Elizabeth Wiens, 43 Fifth Street, thanked Councilor Deutsch for hosting the meeting. She provided a general consensus on some issues; specifically that the Town does not need a minimal tax decrease if it means losing services and public employees see an underlying agenda with the hiring of Providence Analytics. President Cienki provided some financial statistics. Ms. Wiens asked why the rush and lack of transparency? President Cienki replied it needed to be fixed before the new fiscal year. Residents do not know why the former Town Manager left or what Ms. Corrigan being paid? She referred to three provisions in the Charter that support a major conflict of interest. She asked that the Town bring in an officer of the Town to serve as Town Manager.

Justine Caldwell, 8 Aurora Road, commented on the conduct of elected officials, defended her husband who spoke earlier and asked that Council treat constituents with more respect.

Jon Polis, 43 Fifth Street, commented on the fiscal health of the Town and asked what the current surpluses were and how they relate to State laws. President Cienki explained that by law, the schools are not required to have a surplus but they currently do have a \$3.9 million dollar fund balance. The Town is required to maintain between 11-14% fund balance per bond counsel which helps keep bond ratings low. The Town has a \$7 million dollar fund balance.

Mark Chace, former resident of 694 Main Street, is a regional manager for a solar company named Sun Run who has a partnership with National Grid. They are singularly offering a free federally and state funded solar program and have filed for permission to begin soliciting around Town. He spoke

briefly on some incentives and noted he is working with Mayor Fung and the Governor's office.

Caryn Corenthall, 5 Brookfield Court, thanked Councilor Deutsch for holding the meeting. She commented that people are angry and upset based on the Council's lack of honesty and openness. President Cienki referred back to some financial statistics and budget timelines. Pensions were discussed. She asked Council to look at the State of Kansas.

Gene Quinn, a 41-year resident and math professor, disputed the statements made in the Town mailer claiming that the numbers are not factual specifically related to demographics and median calculations. He questioned the validity of the annual report figures for net change on the Town's website. Councilor Deutsch offered to have him sit with Finance to review the numbers.

(7) Public Hearing

- (a) An ORDINANCE in amendment of the Code of the Town of East Greenwich to ADD a new Chapter entitled "Fire Department" (SECOND READING).

Item was tabled

(8) Consent Calendar

- (a) Application for Laundry License Renewals 2017/2018

**Motion to approve made by Sean Todd, seconded by Andrew Deutsch.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

- (b) Application for Holiday Sales License Renewals 2017/2018

**Motion to approve made by Sean Todd, seconded by Andrew Deutsch.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

- (c) Award of bid to Specialty Diving Services, Inc., 192 Smith Street, North Kingstown, RI 02852 for the installation of 4 piles at the old town dock in the amount of \$27,774.00.

**Motion to award the bid to Specialty Diving Services made by Sean Todd, seconded by Mark Schwager.**

Ms. Bradley and Mr. Duarte were applauded for securing a grant for this project.

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

- (d) Award of bid to Access Associates Inc., 470 Coral Creek Drive, Cape Haze, FL 33946 for the purchase of an ADA Compliant Kayak Dock in the amount of \$34,617.00.

**Motion to approve subject to CRMC approval made by Sean Todd, seconded by Andrew**

## **Deutsch.**

Ms. Bradley recommended that the bid award is subject to CRMC approval in July. The dock will be handicap accessible. The material is aluminum and will be removed in the winter.

**Ayes: Cienki, Deutsch, Schwager, Todd**

## **Motion Carried**

(9) Unfinished Business

None

(10) New Business

- (a) Resolution opposing House Bill 6172, An Act Relating to Agriculture and Forestry - Right to Farm.

## **Motion to approve made by Sean Todd, seconded by Andrew Deutsch.**

President Cienki sent a letter in opposition to the bill after speaking with the Town's Planner. She asked for Council's approval to send the resolution to the General Assembly. The legislation preempts local zoning and land use decision making related to local farms.

**Ayes: Cienki, Deutsch, Schwager, Todd**

## **Motion Carried**

- (b) Municipal Court Restructuring

Ms. Corrigan explained that in order to be in compliance with the DMV, the Town must purchase and install new software by July 1st. She disseminated a handout showing an estimated deficit for FY 2018 and noted other costs still need to be considered. Compliance was discussed with the Town's Building Official, Wayne Pimental, who expected that moving housing violations to district court could increase compliance. The proposal was to move traffic violations to the Rhode Island Traffic Tribunal and housing violations to district court effective August 1, 2017. Overtime for police should not be effected. Waiving the cost of the software is not an option. Probate Court is a municipal requirement. Discussion continued on the full-time employee's costs and work load, zoning compliance and statistics on pending violations, lack of revenue and the feasibility of keeping the court for a narrow scope of cases.

The Honorable David Bazar, 43 Cindy Ann Drive and Judge of the Municipal Court, disputed the loss of revenue and the residency of violators as previously presented. He explained the process of pretrial settlements and how it could impact costs if court is dissolved. He advocated that it is a valuable service to the Town.

President Cienki asked Judge Bazar to consider a proposal to move traffic violations to the traffic tribunal and keeping other municipal violations in Town. After reviewing the cost of the software, he argued that removing traffic would result in a loss of income. Fees were discussed.

Kelly McDonald, Municipal Court Clerk, clarified that she does currently carry Town health insurance but will not be effective July 1.

Discussion continued on reviewing revenues and expenditures and the Safe Driver Initiative that benefits young East Greenwich drivers.

Robert Vespia commented that the effort is ridiculous.

Mike Zarrella, an attorney of 40 River Farm Drive, commented that the Town will spend much more money if court is removed and hurt the Town's residents. He begged Council to maintain local control for the good of the people.

It was decided that more of a cost benefit analysis is needed and Ms. Schmidle suggested suspending court sessions for July which would allow the software to be installed while the DMV is going through a phase in process. Judge Bazar asked to keep the July 6th session as tickets were already written.

(c) Discussion for search process for Town Manager

President Cienki noted that there will be a search for a new Town Manager and a search process will be developed. She consulted with former Town Council President Isaacs who was involved in the search four years ago.

Councilor Deutsch favored involving residents in the process and emphasized taking the time to do a thorough search with concerted effort.

President Cienki will forward more information to Council and have information on the search process posted on the website for feedback from residents.

Councilor Schwager asked if using some of the Town's existing resources such as the Personnel Board and Human Resources would be beneficial. President Cienki replied that she will indeed reach out to members of the Personnel Board and Human Resources and report back to Council.

Councilor Deutsch asked about the time line. President Cienki replied that one will be created once more information is put forth.

Councilor Schwager noted that the Charter does not provide any provision for an Acting Town Manager and asked for clarification on the Town's current status and relationship with Ms. Corrigan. President Cienki deferred to Solicitor D'Agostino who added that depending on the nature of the discussion, the matter could be held in either open or closed sessions at a future time. Councilor Schwager stated that the item could be added to the agenda tonight for discussion purposes only if the Council wanted to.

President Cienki commented that it will be added to the next agenda when Councilor Granatiero is present.

(d) Award of municipal Audit Services contract, based on updated responses received after solicitation of service providers was amended following meeting with RI Auditor General.

**Motion to approve the award of bid to Baxter, Dansereau and Associates as the Town's auditor for the next three years made by Sean Todd, seconded by Andrew Deutsch.**

Ms. Corrigan explained the results of the bid opening which are based on a points rating system for price, audit approach and overall. Bids were received from Baxter, Dansereau and Associates, Citrin Cooperman, Blum Shapiro and Marcum Accountants. She recommended awarding the bid to Baxter,

Dansereau and Associates in the amount of \$179,105 which is subject to approval by the Auditor General. The results were reviewed by Ms. Corrigan and Ms. Dykeman based on an algorithm contained within the RFP.

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

- (e) Implementation of One Town initiative and ratification of waiver of Fire Marshal plan review fee(s) and waiver of police/fire detail assignment fees for East Greenwich School Department.

**Motion to approve ratification of initiation and waiver made by Sean Todd, seconded by Andrew Deutsch.**

The Town will no longer be charging the School Department for police and fire details or plan review fees.

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

(11) Town Manager's Report

Ms. Corrigan thanked the Department Heads for their support and warm welcome. She will be working on the 30/60/90 day plan.

(12) Council Comments

Councilor Deutsch commented on the separation of the former Town Manager and explained his vote was a tough decision.

Councilor Schwager stated that the Cole Middle School baseball team is now State Champions. He commented on some concerns received from constituents such as the comparison to Central Falls. He recognized past and present budget challenges and how declaring a financial emergency compromises fair and open government. He was concerned that an abbreviated budget review of both internal and external sources puts the Town's most valuable assets at risk. The most valuable he stated is the sense of community. He asked Council to inspire by example and to provide residents with open, responsive and fair government.

VP Todd commented respectfully about the former Town Manager. He spoke highly about Ms. Corrigan's initiatives going forward. He is still working through valet issues.

President Cienki commented on managing change, increasing transparency and the emerging structural deficit.

(13) Public Comments (15 minute time limit)

Robert Vespia, Shippeetown Road, commented on reasons for tax levy increases such as voter approval of large projects and requested more details on why increases happen. He asked if Ms. Corrigan or Providence Analytics was hired to which President Cienki replied Ms. Corrigan was hired. He asked that her compensation be revealed during open session.

Dave Caldwell, 8 Aurora Road, asked who is legally the Town Manager based on the Town's charter

to which President Cienki replied Gayle Corrigan.

Chris Suellentrop, 55 Princess Pine, commented that there has been a reduced level of services for his children in school now despite what has been presented. President Cienki offered to talk to the School Committee Chair.

Mary Ward, 40 Cavalier Drive, commented on expanding the criteria for Town Manager and thinking outside the box for revenues.

(14) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically to discuss updates on Pawtucket Credit Union, et al. v. Town of East Greenwich, KC-2017-0084.
- (b) Closed pursuant to RIGL 42-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically to discuss legal implications related to municipal collective bargaining agreement obligations and common-law/statutory obligations of the Town.

**Motion to go into Executive Session per RIGL 42-46-5 (a) (2) for sessions pertaining to collective bargaining or litigation made by Andrew Deutsch, seconded by Mark Schwager.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

**Motion to return to Open Session and seal the Executive Session minutes made by Sean Todd, seconded by Andrew Deutsch.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

**Motion to adjourn made by Sean Todd, seconded by Andrew Deutsch.**

**Ayes: Cienki, Deutsch, Schwager, Todd**

**Motion Carried**

Submitted By:  
Leigh A. Carney, CMC  
Town Clerk

Approved By Town Council

Pending