

MINUTES
Town Council
Town of East Greenwich
Regular Meeting
January 22, 2018 at 6:30 PM
Swift Community Center, 121 Peirce Street, East Greenwich, RI 02818

(1) 6:30 PM Executive Session

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

Town Staff Present: D. D'Agostino, L. Carney

Motion to go in to Executive Session per RIGL 42-46-5 (a) (1) made by Sean Todd, seconded by Andrew Deutsch

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

- (a) Closed pursuant to RIGL 42-46-5 (a) (1), sessions pertaining to Council selection and vetting of Town Manager Search Advisory Board candidates, to include discussions of the job performance, character, or physical or mental health of a person provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussions be held at an open meeting.

Motion to close the Executive Session made by Sean Todd, seconded by Andrew Deutsch

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

Motion to seal the Executive Session minutes and reconvene in to Open Session made by Sean Todd, seconded by Andrew Deutsch

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

(2) 6:45 PM Work Session with Town Manager Search Advisory Board

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

Town Staff Present: D. D'Agostino, L. Carney

President Cienki reported that the Council voted in Executive Session 4-0 to appoint the following six individuals to the Town Manager Search Advisory Board:

Chad Callanan, Allen Gammons, Dr. Jack Yena, Vincent Ragosta, Stephen Lombardi and Alexis Meyer. The Advisory Board's charge was explained. Council has the final vote. Solicitor D'Agostino will reach out all members to schedule initial meeting prior to February 12. Meetings will be posted.

(3) 7:00 P.M. Regular Session Call to Order and Pledge of Allegiance to the American Flag

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

Town Staff Present: G. Corrigan, D. D'Agostino, L. Carney, A. Davey, C. Bradley, E. McAndrew, S. Brown, S. Cirella, M. Antunes

Others: C. Malaga

President Cienki called the regular session to order at 6:57pm and led the assembly in the Pledge of Allegiance to the American Flag.

A moment of silence was held to honor Claire Sharpe who recently passed away at the age of 107. She held the title of the Town's oldest resident and was the recipient of the Boston Post Cane.

(4) Town Council Minutes

(a) December 18, 2017 (Executive Session)

(b) January 8, 2018 (Regular and Executive Sessions)

Motion to accept made by Andrew Deutsch, seconded by Mark Schwager

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(5) Public Hearing

(a) Transfer of ownership for Class A Alcoholic Beverage License FROM The Savory Grape Inc. d/b/a Savory Grape Wine Shop TO SG Retail LLC d/b/a The Savory Grape, 1000 Division Street\ subject to and specifically conditioned upon final sale and closing transactions with financial institution.

Motion to approve the Transfer of ownership for Class A Alcoholic Beverage License FROM The Savory Grape Inc. d/b/a Savory Grape Wine Shop TO SG Retail LLC d/b/a The Savory Grape, 1000 Division Street\ subject to and specifically conditioned upon final sale and closing transactions with financial institution made by Sean Todd, seconded by Andrew Deutsch

No public comments

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

- (b) Ordinance to amend the Code of the Town of East Greenwich, Chapter 227 Taxation (as amended), Article XV Exemption for Renewable Energy Systems adding Section 227-50 entitled Rules and regulations for Commercial Renewable Energy Systems Tangible Tax Value (SECOND READING).

Motion to schedule for Third Reading on February 12 made by Sean Todd, seconded by Andrew Deutsch

Mr. Davey explained the action codifies what the State already has in place.

No public comments

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(6) Consent Calendar

- (a) Abatements to 2017 Tax Roll for Real Estate totaling \$5,512.52 and Motor Vehicles totaling \$65.39

Motion to accept made by Sean Todd, seconded by Andrew Deutsch

Mr. Davey explained the real estate abatement stems from a property tax appeal.

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(7) Unfinished Business (Discussion/Action)

- (a) Annual Renewal of Alcoholic Beverage License with Victualing, Entertainment and Outdoor Sidewalk Service for the period December 1, 2017 through November 30, 2018 for The Grille on Main, 50 Main Street.

Maria Chianese stated that everything due the Town was paid today based on communications from the Finance Director, less \$75. The Division of Taxation is holding clearance based on something outstanding from 2015. Another extension was requested to get clearance from the State and address the sewer bill.

Motion to extend the license until February 12, 2018 made by Sean Todd, seconded by Andrew Deutsch

The issue from 2015 was disputed.

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(b) Approval of Social Media Policy

Ms. Corrigan reported the policy has been vetted by the Town Solicitor, Department Directors and the Personnel Board. The next policy to be addressed is Confidentiality.

Motion to approve the employee social media policy made by Sean Todd, seconded by Andrew Deutsch

Discussion followed on establishing a Town Facebook page to be managed by the Town Manager, policy creation, its applicability to elected officials and potential conflicts with State law or CBA's. There was concern over exposure to litigation as drafted; specifically sections (i) and (j) as well as sections related to speech (e) and (f). It was suggested to have the policy vetted by another source to address civil liberties, etc.

Motion to amend the original motion to accept the policy but strike letter (j) made by Sean Todd, seconded by Andrew Deutsch.

Ayes: Cienki, Deutsch, Todd

Nays: Schwager

Motion Carried 3-1

(c) Town Manager Search Update

Six members were appointed to the advisory board who will meet to review the culled Town Council list of applicants. On February 12, they will meet with the Council to discuss round one candidates and move forward. The six members are: Alexis Meyer, Jack Yena, Chad Callanan, Allen Gammons, Steve Lombardi and Vin Ragosta.

(8) New Business (Discussion/Action)

(a) Appointment of Interim Fire Chief

President Cienki explained the process has been planned in phases. Chief Olsen was thanked for his brief time in service. Ms. Corrigan recommended Chief Kevin Robinson as the interim fire chief. Chief Robinson spoke briefly.

Motion to appoint Chief Kevin Robinson as Interim Fire Chief made by Sean Todd, seconded by Andrew Deutsch

Councilor Schwager commented on recent court actions and voiced concerns about not having enough information to make an informed decision. Ms. Corrigan explained the process supporting the hiring of the Interim Fire Chief.

Ayes: Cienki, Deutsch, Todd

Nays: Schwager

Motion Carried 3-1

The Oath of Office was delivered by the Town Clerk.

(b) Appointment of Tree Warden and Deputy Tree Warden for 2018

Motion to appoint Michael Schreffler of East Greenwich Tree Service as Tree Warden and Maureen Schreffler as Deputy Tree Warden made by Andrew Deutsch, seconded by Sean Todd

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(c) Ordinance to amend the Code of the Town of East Greenwich, Chapter 166 Parks and Recreation (as amended) to add Article IV Tobacco Free Facilities
(INTRODUCTION AND FIRST READING).

Cathy Bradley explained the Town was awarded a \$5,000 mini-grant from the State Department of Health which will be used for signage to help enforce the new ordinance. Council discussion ensued. Changes can be discussed during the second reading.

Motion to move to second reading and schedule for public hearing on February 12, 2018 made by Andrew Deutsch, seconded by Mark Schwager

Ayes: Cienki, Deutsch, Schwager

Nays: Todd

Motion Carried 3-1

(d) Parks and Recreation Department Seasonal Staff Pay Scale

Motion to approve made by Sean Todd, seconded by Mark Schwager

Ayes: Cienki, Deutsch, Schwager, Todd

Motion Carried 4-0

(e) Review of Town Council Rules and Guidelines

No changes were discussed.

(9) Public Comments (30 minute time limit)

President Cienki commented on the OMA violations from the summer of 2017.

Caryn Corenthel, 5 Brookfield Court, suggested allowing public comments to be heard at the beginning of the meeting. She was concerned about the social media policy, the ethics complaint, the Town Manager's hours and other professional commitments, corrective action on the Town mailer, hiring fire chiefs and the involvement of Stuart Pederson on offering Council financial advice.

Roberta Anderson, 32 Atherton Road, requested that the Town Manager search process is done expeditiously, seeking a candidate at the highest professional level with experience and who is non-partisan.

Rob Vespia, Shippeetown Road, asked about MRI (Management Resources International). He requested an accurate total for the entire costs for Interim Fire Chief Olsen and voiced his concerns about the social media policy.

Mike Zarrella, 40 River Farm, commented on the length of Executive Sessions due to lawsuits and the costs associated with despite the schools being level funded.

Bill Perry, Pardons Wood Lane, had concerns related to the recent negotiations with the Council President. He questioned whether safety issues identified by Interim Chief Olsen would be addressed, why another interim chief was hired and how many cities or Towns have hired a consultant to hire a Fire Chief. He is awaiting a reply to an APRA request on the cost for MRI to hire a chief and had major concerns with the social media policy.

David Caldwell, 8 Aurora Road, commented on the social media policy, the ethics complaint, lack of filing financial disclosure statements and legal liabilities surrounding the new Interim Fire Chief. He asked if Ms. Corrigan is a candidate for Town Manager.

Elizabeth McNamara, 18 Prospect Street, asked about Town Manager applications, the role of Stuart Pederson, budget line items for Town Manager, Arbitration and Legal, the payout to former Town Manager and the Fire Chief search process.

(10) Council Comments

Councilor Schwager voiced his dismay with regard to recent OMA violations and ethics complaint. He advocated for better policy making.

President Cienki addressed concerns related to a recent financial meeting including citizens Musella, Quinn and Pederson having to do with property tax increases throughout Town, pension and OPEB liability. She reiterated that the OMA violations were not intentional.

Motion to go into Executive Session per RIGL 42-46-5 (a) (2) made by Andrew Deutsch, seconded by Sean Todd

Ayes: Cienki, Todd, Deutsch, Schwager

Motion carried 4-0

(11) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically to discuss proposed litigation concerning the national, state and local opioid epidemic.
- (b) Closed pursuant to RIGL 42-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically to discuss on going labor relations matters concerning East Greenwich Firefighters Local 3328, IAFF.

- (c) Closed pursuant to RIGL 42-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically to discuss the matter, David Gorman v. East Greenwich, KC-2017-1160.
- (d) Closed pursuant to RIGL 46-46-5 (a) (2), sessions pertaining to collective bargaining or litigation, specifically, to discuss the matter, In re: Gayle Corrigan, RI Ethics Commission Complaint No. 2017-11 and to discuss the potential indemnification of the Town Manager in said matter pursuant to RIGL 45-15-16.

Motion to close the Executive Session made by Andrew Deutsch, seconded by Sean Todd

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

Motion to seal the Executive Session minutes and reconvene in to Open Session made by Andrew Deutsch, seconded by Mark Schwager

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

(12) Adjournment

Motion to adjourn at 10:45 P.M. made by Andrew Deutsch seconded by Sean Todd

Ayes: Cienki, Todd, Deutsch, Schwager

Motion Carried 4-0

Submitted By:

Leigh A. Carney, CMC
Town Clerk

Approved By Town Council:
(pending)

AUDIO FILES AVAILABLE IN TOWN CLERK'S OFFICE