



# Town of East Greenwich Town Council Minutes July 12, 2010

6:00 pm, Town Hall, 125 Main Street

Council Members: Michael B. Isaacs, President  
Henry V. Boezi, Vice President  
Richard P. Buonaiuto, Councilor  
Michael S. Kiernan, Councilor  
Dr. Mark Schwager, Councilor

Staff Members: William Sequino, Jr., Town Manager  
Leigh A. Botello, Town Clerk  
Col. Thomas Coyle, Chief of Police  
Joseph Duarte, Public Works Director  
Wendy Schmidle, IT Director (absent)  
Kathy Raposa, Finance Director\* (absent)  
Lisa Bourbonnais, Planning Director (absent)  
Catherine Bradley, Parks and Recreation Director (absent)  
Erin McAndrew, Human and Senior Services Director (absent)  
Peter Clarkin, Town Solicitor

Others:

**6:00 PM - EXECUTIVE SESSION** per RIGL §42-46-5 (a) (1), (2), and (6) to discuss personnel, litigation/collective bargaining and prospective business or industry locating in the State of Rhode Island.

VP Boezi moves to go into Executive Session per RIGL §42-46-5 (a) (1), (2), and (6) to discuss personnel, litigation/collective bargaining and prospective business or industry locating in the State of Rhode Island, seconded by Councilor Buonaiuto and after a roll call vote of 4-0 with Councilor Kiernan being absent at the moment, the motion carries.

At the conclusion of the Executive Session, Councilor Schwager moves to return to Open Session, seconded by VP Boezi and after a 5-0 vote, the motion carries. VP Boezi moves to seal these minutes, seconded by Councilor Buonaiuto and after a 5-0 vote, the motion carries. VP Boezi moves to adjourn at 7pm, seconded by Councilor Schwager and after a 5-0 vote, the motion carries.

## **7:00 PM - CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

President Isaacs calls the regular session to order and leads the assembly in the Pledge of Allegiance to the American Flag.

## **COMMENDATIONS, PROCLAMATIONS & RESOLUTIONS**

Citation for Thomas Dorsey – President Isaacs reads an excerpt from the citation honoring Mr. Dorsey's six years of service to the Town as Superintendent of the Parks and Grounds Division. The original citation has already been presented to him at a retirement party. VP Boezi moves to ratify the



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citation, seconded by Councilor Schwager and after a 4-0 vote with Councilor Buonaiuto being absent at the moment, the motion carries.

## 1) TOWN COUNCIL MINUTES

- a. June 28, 2010 (Regular & Executive Sessions)

VP Boezi moves to approve the minutes, seconded by Councilor Schwager and after a 4-0 vote, the motion carries.

## 2) REPORTS AND COMMUNICATIONS

- a. Public Comment – 15 minute limit (ITEMS **NOT ON THE AGENDA**)

No public comment.

- b. School Building Committee

Jon Winikur and Ken Romeo provide a detailed update on the construction progress at the Middle School and the High School Phase 2 as well as a Financial Update. The Middle School site contractor, Fleet, is in receivership and Gilbane is working with their bonding company and the new contractor, Manafort, to maintain the project schedule. Tennis and basketball courts are a concern and several options are being explored to remedy the cracks. In addition to major construction progress at the High School, pricing is pending on the roof for the administration area and library. Berman has been asked to quote on the roofing project as a change order to the original bid. Both projects remain on schedule and on budget. The Middle School budget is \$39,570,000 with \$10,003,600 in actual expenditures to date and a remaining balance of \$29,566,400. The High School budget is \$7,191,900 with \$4,542,700 in actual expenditures to date and a remaining balance of \$2,649,200. Further discussion follows on modifications to the housing aid reimbursement formula and how that money could roll back into these projects. Debt service planning, future budgets and the issuance of bonds are discussed as well. The Council wants to recognize any savings to reduce the amount of bonds to be issued and the Building Committee wants to be compliant to help the Town enjoy as much savings as possible.

VP Boezi asks what the status is with the floor at Meadowbrook. Mr. Winikur replies that an analysis is being done to try to identify the source of the moisture. Apparently, there is no moisture barrier and the school has been taking readings for mold and bacteria in the air. Mr. Wilmarth, the school's Facilities Superintendent, may have more information.

Christopher Lamendola, 50 Sarah's Trace, voices his frustrations with the lack of communication from the School Committee and the Town Council with regard to the damages assumed to be caused by the construction at the Middle School. He feels that the Town has put money in front of his safety and his property rights and is disappointed that a member of the Building Committee, Mary Ellen Winters, has yet to respond to his inquires after visiting his home. He reiterates several issues previously brought forth in a past Council meeting including 1) why is Gilbane still being allowed to use



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equipment that is causing damage to his home, 2) why wasn't the change order approved immediately to mitigate damages, 3) was Chris Whitney hired for him or to represent the School Committee and 4) why has the School Committee refused to perform a second condition survey on his home. He and VP Boezi debate over the moving of the seismograph. Mr. Lamendola asks why SBS has not been in his home yet as they were hired by the Town for this project. His final concern is with other neighborhoods and homes over the next year as construction continues.

President Isaacs respectfully reminds Mr. Lamendola that the project is under the direction of the School Committee and he encourages him to attend their meeting tomorrow night. The Town Council has brought several concerns to the School Committee's attention as well.

Tom Hogan is just looking for some answers as to what is going on and that the situation will be taken care of when all is said and done. He feels like his house is falling apart and the Town is letting it continue to happen. President Isaacs reiterates that the answers have to come from the School Committee. He suggests that perhaps Mr. Lamendola's attorney should speak with the School Committee's attorney.

Peter Hoffmann, 47 Lillibridge Drive, had contacted Ken Romeo on July 2, 2010 about some pine trees that were planted near his property. He feels that they were planted too close and requests to have them removed and replanted at least 20 feet away from the fence that bounds his property. Ken Romeo personally visited the site and forwarded photos to the landscape architect but has had no response in ten days. President Isaacs refers Mr. Hoffman to the School Committee as they have the contractual obligations to the project. Mr. Hoffmann will be contacting Dr. Mercurio for further direction.

### 3) PUBLIC HEARING

No public hearing.

### 4) CONSENT CALENDAR

- a. RENEWAL Holiday Sales License 2010/2011

Game Stop, Inc. d/b/a Game Stop 5511, 1000 Division Street

VP Boezi moves to approve the renewal, seconded by Councilor Schwager and after a 5-0 vote, the motion carries.

### 5) OLD BUSINESS

- a. Long Meadow Farm Subdivision

This item is being continued to July 26 pending further review of a letter dated July 12, 2010 by the Town Solicitor. The Frye Brook project and culvert work also needs to be addressed. All Primeau projects, including Frye Brook and The Boulders, will be address at the next meeting.



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## 6) NEW BUSINESS

- a. Emergency Ordinance in amendment of Chapter 227, Article 1, Tangible Household Personal Property Exemption, by adding a new section 227-1.1 entitled, Motor Vehicles Exemption.

President Isaacs advises that at the last meeting, the Council voted not to add a new tax on motor vehicles. Pursuant to State law, the Town could enact an exemption up to \$5,500 and voted on the policy itself on June 28, 2010. This ordinance will put the exemption into effect prior to new tax bills being distributed. VP Boezi moves to approve the Emergency Ordinance, seconded by Councilor Schwager and after a 5-0 vote, the motion carries.

- b. First reading of an Ordinance in amendment of Chapter 227, Article 1, Tangible Household Personal Property Exemption, by adding a new section 227-1.1 entitled, Motor Vehicles Exemption.

VP Boezi moves to approve first reading and schedule for public hearing on July 26, seconded by Councilor Buonauto and after a 5-0 vote, the motion carries.

- c. First reading of an Ordinance in amendment of the Taxation Ordinance, Article III, Elderly Exemption, Section 227.5; Article V, Disability Exemption, Section 227-17; Article VI, Gold Star Parent, Section 227-20; Article VII, Veterans Exemption, Sections 227-22, 227-23, 227-24; Article VIII, Blind Persons Exemption, Section 227-25; Article IX, Prisoners of War Exemption, Section 227-27.

VP Boezi moves to approve first reading and schedule for public hearing on July 26, seconded by Councilor Kiernan and after a 5-0 vote, the motion carries.

- d. Town Council Procedures and Guidelines

Council reviews these procedures and guidelines every six months and have no changes at this time.

- e. Sewer Connection – Ashish G. Airan

Mr. Airan and his wife greet Council and ask for permission to tie into the sewer system from their residence at 814 Love Lane in Warwick for several reasons supported by a letter dated June 11, 2010. The current cesspool at the property is failing and needs to be replaced. Per DEM, connecting to a sewer line is about 10 times cheaper than replacing the septic system. Connecting to a sewer line is environmentally friendly. The Warwick Sewer Authority has no plans to lay a sewer line that would connect to the property. The EG sewer line runs parallel to the property within 10 feet. Other residents of Warwick, in Potowomut, are already connected. If approved, the residents get a cost effective sewer system and the Town will get extra revenue. This can be accomplished in an environmentally responsible manner. Mr. Duarte states there is no issue with capacity. The residents will be solely responsible for all the tie-in expenses and pay a \$100 permit fee. VP Boezi moves to



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grant the request for sewer connection provided the connection is completed within six months and all expenses are borne by the home owner and the sewer rate is set at 150% of the resident rate, seconded by Councilor Buonaiuto and after a 5-0 vote, the motion carries.

## 7) **TOWN MANAGER'S REPORTS**

### a. Charter Amendments

The deadline to get language for ballot questions to the Secretary of State is August 4. Two main concerns are closure to the budget process and eliminating postcards notifying residents of the budget. Other considerations are elimination of the FTM, changing the election process of the School Committee and the assumption of non-instructional functions of the School Department. Mr. Sequino will draft some language regarding the postcard.

## 8) **COUNCIL COMMENTS**

VP Boezi asks Mr. Duarte how much it would cost per mile to put a top coat on a country road. Mr. Duarte responds approximately \$250K per mile. Several areas with poor roads are briefly discussed, which all together could cost around \$1,250,000. Repair work on Route 2 in front of Chef-A-Roni is scheduled for mid-July.

Councilor Kiernan asks about improvements on Division near the NEIT location. Mr. Sequino states that National Grid recently obtained an easement from the State Properties Commission to begin east of Route 2 creating another lane to Route 4. Bids have gone out to D'Ambra and they are waiting for a physical alterations permit from the State, which usually takes two weeks. An agreement is pending for a donation of property to the State for west of Route 2 from Integlia.

President Isaacs received a note from Jerry Meyer thanking the Council for recognizing his accomplishments and his retirement.

Ms. Botello asks Council to consider receiving their agenda binders on Thursday's instead of Wednesday's and they all agree.

## 9) **PUBLIC COMMENT (15-minute time limit)**

No public comments.

## 10) **EXECUTIVE SESSION** per RIGL §42-46-5 (a) (1), (2), and (6) to discuss personnel, litigation/collective bargaining and prospective business or industry locating in the State of Rhode Island.

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At the conclusion of the Executive Session, VP Boezi moves to return to Open Session, seconded by Councilor Schwager and after a 5-0 vote, the motion carries. VP Boezi moves to seal these minutes, seconded by Councilor Kiernan and after a 5-0 vote, the motion carries. VP Boezi moves to adjourn at 9pm, seconded by Councilor Buonaiuto and after a 5-0 vote, the motion carries.

Respectfully submitted,  
*Leigh A. Botello*  
Town Clerk

APPROVED BY TOWN COUNCIL JULY 26, 2010