



Town of Lincoln

Town Council Meeting

June 21, 2022 at 7:00 PM
Lincoln Town Hall

MINUTES

Board of License Commissioners

A. Call to Order

7:00 PM Meeting called to order on June 21, 2022 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

This meeting will be held as a hybrid meeting, with the Council meeting in person and the public may participate in person or by utilizing the web streaming available on www.lincolnri.org, and emailing comments to meeting@lincolnri.org.

Members Present:

Keith Macksoud, President
Arthur Russo, Jr
Kenneth Pichette
Bruce Ogni
Pamela Azar
Anthony DeSisto, Town Solicitor
Philip Gould, Town Administrator

B. Pledge of Allegiance

C. Presentation of Awards for the Memorial Day Parade

Administrator Gould presented the awards for the Memorial Day Parade to Hearthside House for the best overall float. They received the Lincoln Memorial Horlbogan Award.

Administrator Gould wanted to present the award for the most patriotic float to Butterfly Farms; however, they were not in attendance. They received the Lincoln Sfc Dumas Award.

Grace Gervais, Assistant Parks & Recreation Director was also present to assist with the awards.

D. Request for an Executive Session

1. Motion to adjourn into Executive Session pursuant to RIGL 42-46-5(a)(2) discussion on potential litigation between the Lincoln Water Commission and Anchor Auto Group
This Executive Session was in continuance from last night's Town Council Work Session.
ACTION: Motion to adjourn into executive session by Bruce Ogni second by Arthur Russo;
Motion passed with a 5:0 on a roll call vote
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
NOES: None
ABSTAIN: None
2. Entertain a motion to seal the minutes from Executive Session pursuant to RIGL 45-46-7(c)
ACTION: Motion to seal the minutes from executive session pursuant to rigl 45-46-7(c) by Bruce Ogni second by Pam Azar;
Motion passed with a 5:0 on a roll call vote
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
NOES: None
ABSTAIN: None
3. Vote on matters from Executive Session
ACTION: Motion to authorize lincoln water commission to proceed with the settlement agreement with anchor auto subject to anchor auto using its best efforts to obtain water service from the city of woonsocket and/or town of north smithfield by Arthur Russo second by Bruce Ogni;
Motion passed with a 4:1
AYES: Keith Macksoud, Arthur Russo, Bruce Ogni, Pam Azar
NOES: Ken Pichette
ABSTAIN: None

E. Presentation from Northeast Solar & Wind Power, LLC

Vito Buonomano, Owner of Northeast Solar & Wind Power, LLC and Toby from RI Infrastructure Bank gave the presentation of their services.

- ACTION:** Motion to move resolution 2022-19 up next on the agenda. item E. by Pam Azar second by Bruce Ogni;
Motion passed with a 5:0
- AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
- NOES:** None
- ABSTAIN:** None

F. Application for a Special Event License

1. Road Race at McColl YMCA - Change of date from June 12 to October 1, 2022

ACTION: Motion to defer to july meeting so the applicant can be present by Bruce Ogni second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

G. Application for a Class F Liquor License (Special Event)

1. St. George Maringht Church hosting an event at Church of St. Basil the Great located at 15 Skyview Drive on July 9, 2022
Christopher Thomas, a representative from Church of St. Basil the Great was present and notified the Council that the event was being postponed so a license was not needed at this time.

ACTION: Motion to table indefinitely item G.1. by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

2. R1 Indoor Karting event at 100 Higghinson Avenue on August 14, 2022

ACTION: Motion to defer to july so that the applicant can be present item G.2. by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

Town Council

H. Call to Order

7:00 PM Meeting called to order on June 21, 2022 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

I. Consent Agenda

All items listed in this section are considered in one motion. There will be no separate discussion of these items unless a Councilor so requests, in which event item will be removed from the consent agenda.

ACTION: Motion to approve the consent agenda without items 3.a., 5.e., 5.f., and 5.g. by Arthur Russo second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

1. Minutes Approval

a. Minutes of May 16, 2022

b. Minutes of May 17, 2022 - 6:00 p.m. Special Meeting

c. Minutes of May 17, 2022

2. Consideration of Monthly Bills

a. May 2022 Monthly Bills

3. Claims for Referral to Committee

a. Jose Alonzo Claim through Travelers Home and Marine Insurance Company

ACTION: Motion to deny the claim and refer it to the trust by Bruce Ogni second by Ken Pichette;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

4. Reports

a. Town Administrator's Reports

- i. Town Clerk's Monthly Report - May 2022
- ii. Tax Assessor May 2022 Monthly Report
- iii. Lincoln Senior Center
- iv. Parks and Recreation Monthly
- v. Library May 2022 Monthly Report
- vi. Public Safety
- vii. HUMAN RESOURCE DEPARTMENT-MAY-2022 MONTHLY REPORT
- viii. Building Department Monthly Report
- ix. Planning Department - May Report
- x. Finance Department May 2022 Report

5. Communications

a. State Mandated Financial Reports

- i. Manville Fire District 2nd Quarter Report

ii. Lincoln Fire Department Quarterly Report

- b. Letter from the Rhode Island Association of Conservation Commissions
- c. Barrington Resolution on Celebrating June as Pride Month
- d. Barrington Resolution in support of restoring funding for State Aid to Libraries
- e. Letter from Council President Macksoud to Town Solicitor regarding Breakneck Hill Road

ACTION: Motion to accept the communication item I.5.e.
by Arthur Russo second by Bruce Ogni;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

- f. Update from the Town Solicitor on the affordable housing state legislation

ACTION: Motion to accept the communication item I.5.f.
by Arthur Russo second by Bruce Ogni;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

- g. Letter from Councilor Russo to the Town Administrator regarding Lincoln Woods State Park

Chief Hoxsie of the Rhode Island Environmental Police was present and spoke on the communication and answered any questions the Council had.

Public Comment: Dick Bradberry from the Stonecreek Condo Association spoke on the communication.

ACTION: Motion to accept the communication item I.5.g. by
Arthur Russo second by Bruce Ogni and Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None
ABSTAIN: None

J. Public Comment

Dick Bradberry from the Stonecreek Condo Association spoke on the housing legislation presented in communication 5.f.

K. Appointments

1. Tenant Board - District 1 - term to expire in 2024

ACTION: Motion to defer to july item K.1. by Arthur Russo
second by Ken Pichette;
Motion passed with a 5:0
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce
Ogni, Pam Azar
NOES: None
ABSTAIN: None

2. Tenant Board - District 4 - term to expire in 2024

ACTION: Motion to defer to july item K.2. by Pam Azar second
by Bruce Ogni;
Motion passed with a 5:0
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce
Ogni, Pam Azar
NOES: None
ABSTAIN: None

3. Conservation Commission - term to expire in 2025

ACTION: Motion to appoint jennifer ethier-nault to the
conservation commission with a term to expire in
2025 by Ken Pichette second by Bruce Ogni;
Motion passed with a 5:0
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce
Ogni, Pam Azar
NOES: None
ABSTAIN: None

L. Unfinished Business

1. Ordinance Committee Report

- a. **2022-2**
An Ordinance Establishing a School Department Revolving Fund Capital Improvement Project

History:

Date	Meeting Body	Action	Date of Action
4/19/2022	Town Council	Referral to Committee	4/19/2022
5/17/2022	Ordinance Sub Committee	Deferred in Committee	5/17/2022
6/20/2022	Ordinance Sub Committee	Recommendation	6/20/2022

Councilor Russo stated that this was deferred in committee until July.

- b. **2022-3**
Amendment to Section 5-27 Juvenile Hearing Board

History:

Date	Meeting Body	Action	Date of Action
5/17/2022	Town Council	Referral to Committee	5/17/2022
6/20/2022	Ordinance Sub-Committee	Recommendation	6/20/2022

ACTION: Motion to deny the amendment to the ordinance by Arthur Russo second by Bruce Ogni and Pam Azar; Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

- c. **2022-4**
Intellectual Disabilities Ordinance

History:

Date	Meeting Body	Action	Date of Action
5/17/2022	Town Council	Refer to Committee & Planning Board	5/17/2022
6/20/2022	Ordinance Sub-Committee	Recommendation	6/20/2022

Councilor Russo stated that this item was deferred in committee until July.

2. Claims Committee Report

a. Dennis J Medeiros Pothole Claim

History:

Date	Meeting Body	Action	Date of Action
4/19/2022	Town Council	Referred to Committee	4/19/2022
5/17/2022	Claims Sub-Committee	Deferred in Committee	5/17/2022
6/21/2022	Claims Sub-Committee	Recommendation	6/21/2022

Councilor Ogni stated that this item was deferred in committee until July

3. Purchasing Committee Report

a. Bid Waiver Request for Real Estate Broker Services

History:

Date	Meeting Body	Action	Date of Action
6/21/2022	Purchasing Sub-Committee	Recommendation	6/21/2022

ACTION:

Motion to award the bid to cushman & wakefield/hayes & sherry by Ken Pichette second by Pam Azar;

Motion passed with a 5:0

AYES:

Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES:

None

ABSTAIN:

None

b. Bid Waiver Request for the purchase of two (2) Dell Computers for FY22 Resolution VII

History:

Date	Meeting Body	Action	Date of Action
6/21/2022	Purchasing Sub-Committee	Recommendation	6/21/2022

ACTION: Motion to approval to purchase two (2) dell computers in the amount of \$10,243.51 by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

c. Bid Waiver Request for Police Vehicle Computers

History:

Date	Meeting Body	Action	Date of Action
6/21/2022	Purchasing Sub-Committee	Recommendation	6/21/2022

ACTION: Motion to approval to purchase police vehicle mdts in the amount of \$63,242.96 by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

d. Award of Bid for RFQ 2022-09 Catch Basin Inspections

History:

Date	Meeting Body	Action	Date of Action
6/21/2022	Purchasing Sub-Committee	Recommendation	6/21/2022

Councilor Pichette recused himself.

ACTION: Motion to award the bid to beta group in the amount of \$48,700 w/ \$28,800 2nd year option by Arthur Russo second by Pam Azar;
Motion passed with a 4:0

AYES: Keith Macksoud, Arthur Russo, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: Ken Pichette

e. Bid Waiver Request for a Police Vehicle

History:

Date	Meeting Body	Action	Date of Action
6/21/2022	Purchasing Sub-Committee	Recommendation	6/21/2022

ACTION: Motion to approval of police vehicle purchase from central chrysler jeep-dodge in the amount of \$53,517 item L.3.e. by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

4. Capital Improvement Committee Report
Council President Macksoud gave an update on this committee.

M. New Business

1. Resolutions for Introduction for Referral to Committee

- a. **2022-18**
Resolution Authorizing Amendments to the FY 2021/2022 Operating Budget

John Ward, Finance Director presented and answered any questions the Council had.

ACTION: Motion to immediate consideration item M.1.a. by Ken Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

ACTION: Motion to amendment of election expenses to increase by \$7,000 for a total of \$14,000 and decrease insurance/assurity account by Ken Pichette second by Bruce Ogni;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

ACTION: Motion to adopt the resolution as amended by Kenneth Pichette second by Pam Azar;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

b. **2022-19**

Resolution congratulating Father Anthony Saab on the 25th anniversary of his ordination to the priesthood

ACTION: Motion to adopt item M.1.b. by Pam Azar second by Bruce Ogni and Arthur Russo;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

2. Discussion and action regarding cannabis establishments and public use, pursuant to recently enacted legislation

a. Referendum question to be placed on the November 2022 ballot: "Shall new cannabis-related licenses for businesses involved in the cultivation, manufacture, laboratory testing, and for the retail sale of adult recreational use cannabis be issued in the Town of Lincoln?"

ACTION: Motion to put referendum question on the november 2022 ballot as language is set forth on the agenda by Bruce Ogni second by Pam Azar, Arthur Russo, Ken Pichette;
Motion passed with a 5:0

AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar

NOES: None

ABSTAIN: None

b. Discussion and action regarding amending local ordinances to ban or impose restrictions on the smoking or vaporizing of cannabis in public places, including outdoor common areas, parks, athletic and recreational facilities and other public places

ACTION: Motion to direct the town solicitor to write ordinances to ban smoking or vaporizing of cannabis in public places by Bruce Ogni second by Pam Azar, Arthur Russo, Ken Pichette;

	Motion passed with a 5:0
AYES:	Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
NOES:	None
ABSTAIN:	None

N. Adjourn

Councilor Pichette announced the passing of Lois Moore a dedicated member of the community and asked that the meeting be adjourned in her memory.

ACTION:	Motion to adjourn the meeting in memory of lois moore item N. by Ken Pichette second by Pam Azar, Arthur Russo, Bruce Ogni; Motion passed with a 5:0
AYES:	Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
NOES:	None
ABSTAIN:	None