



Town of Lincoln

Town Council Meeting

November 15, 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 November 15, 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, Council President
Arthur Russo
Bruce Ogni
Pamela Azar
Kenneth Pichette
Anthony DeSisto, Town Solicitor
Philip Gould, Town Administrator

B. Pledge of Allegiance

C. Presentation of Commendations

1. Sergeant Brendan Legare
2. Officer Patrick Tordoya
3. Officer Steven Bradley

D. Application for a Victualling License

1. Northern Souls Catering LLC d/b/a Northern Souls at 29 Winter Street
Alexis Garnetto, owner of Northern Souls was present and answered any questions that the Council may have had.

ACTION: Motion to grant but not issue until all pending approvals are met by Ken Pichette second by Arthur Russo, Ken Pichette, 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

E. Application for a Class F License

1. St. Basil the Great Event on December 4, 2022 at 15 Sky View Drive
- ACTION:** Motion to grant and waive the fee 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

F. Annual License Renewals

1. Victualling Licenses
- ACTION:** Motion to grant but not issue until all approvals are met 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
2. Victualling 24-Hour Licenses
- ACTION:** Motion to grant but not issue until all approvals are met 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
3. Miscellaneous Licenses

Pool Tables

ACTION: Motion to grant but not issue until all approvals are met by Ken Pichette second by Pam Azar and Bruce Ogni;
Motion passed with a 5:0

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

NOES: None

ABSTAIN: None

Juke Boxes

ACTION: Motion to grant but not issue until all approvals are met 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

Entertainment

ACTION: Motion to grant but not issue until all approvals are met by Ken Pichette second by Pam Azar and Bruce Ogni;
Motion passed with a 5:0

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

NOES: None

ABSTAIN: None

Per RIGL 42-46-3, The Town Council added the Special Entertainment License for UTGR, Inc. d/b/a Bally's Twin River Casino

ACTION: Motion to grant but not issue until all approvals are met 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

Dance

ACTION: Motion to grant but not issue until all approvals are met 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

Electrical/Mechanical Devices

ACTION: Motion to grant but not issue until all approvals are met 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

Gaming

ACTION: Motion to grant but not issue until all approvals are met 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. Liquor Licenses - Class A

ACTION: Motion to grant but not issue until all approvals are met 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

5. Liquor Licenses - Class BV

ACTION: Motion to grant but not issue until all approvals are met 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

6. Liquor Licenses - Class BVL

ACTION: Motion to grant but not issue until all approvals are met 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

7. Liquor Licenses - Class D

ACTION: Motion to grant but not issue until all approvals are met 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

8. Liquor Licenses - Classes B-C, BT, and BH

Class B-C

ACTION: Motion to grant but not issue until all approvals are met 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

Class BT

ACTION: Motion to grant but not issue until all approvals are met 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

Class BH

ACTION: Motion to grant but not issue until all approvals are met 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

G. Call to Order

7:00 PM Meeting called to order on November 15, 2022 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

H. 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 item H. by Ken Pichette second
by Arthur Russo;
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 October 17, 2022

b. Minutes of October 18, 2022

c. Minutes of October 25, 2022

2. Consideration of Monthly Bills

3. Claims for Referral to Committee

a. Choiniere Claim

ACTION: Motion to deny and have the town solicitor contact
the attorney to inform them that it is a state road 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

4. Town Administrator's Reports

a. Parks and Rec Monthly Report

b. October 2022 Tax Assessor Monthly Report

c. Town Clerk's Monthly Report

- d. Senior Center November 22 Report
- e. Human Resource Department~ Monthly Report ~ October- 2022~
- f. Building Department Monthly Report
- g. Library October 2022
- h. Public Safety Report
- i. Finance Reports

5. Communications

a. State Mandated Reports

i. Manville Fire District Q3 FY 2022 Report

b. Barrington Resolution for Juneteenth

c. Letter from Lincoln Fire District regarding 40 Walker Street

ACTION: Motion to accept the communication item H.5.c.
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

d. Letter from Benjamin Scungio regarding Lincoln School Committee

ACTION: Motion to accept the communication item H.5.d.
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

6. Tax Abatements

a. November 2022 Tax Assessor Abatements

I. Public Comment

There was no one wishing to speak during Public Comment.

J. Appointments

1. Reappointment to the Parks & Recreation Commission with a term to expire in 2027

ACTION: Motion to reappoint andrew bruscini to the parks & recreation commission 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

K. Unfinished Business

1. Ordinance Sub Committee Report

a. 2022-7

Ordinance Amendment 75-7 Restraint required; citations; penalties
History

Date	Meeting Body	Action	Date of Action
10/18/2022	Town Council	Referral to Committee	10/18/2022
11/14/2022	Ordinance Sub Committee	Recommendation	11/14/2022

ACTION: Motion to adopt item K.1.a. by Arthur Russo second by Ken Pichette;
Motion passed with a 5:0 by a roll call vote

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

NOES: None

ABSTAIN: None

2. Claims Sub Committee Report

a. Jackson Claim
History

Date	Meeting Body	Action	Date of Action
08/16/2022	Town Council	Referral to Committee	08/16/2022
9/20/2022	Claims Sub Committee	Deferred in Committee	9/20/2022
10/18/2022	Claims Sub Committee	Deferred in Committee	10/18/2022
11/15/2022	Claims Sub Committee	Recommendation	11/15/2022

ACTION: Motion to deny item K.2.a. 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

3. Purchasing Sub Committee Report

a. **Bid #2023-04**
2023 Annual Town Calendar
History

Date	Meeting Body	Action	Date of Action
11/15/2022	Purchasing Sub Committee	Recommendation	11/15/2022

ACTION: Motion to award the bid to indiana printing & publishing for the amount of \$7,923.04 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. Request to Waive Competitive Bidding - Portable Generator for Chase Farm Events
History:

Date	Meeting Body	Action	Date of Action
11/15/2022	Purchasing Sub Committee	Recommendation	11/15/2022

ACTION: Motion to award the bid to northern tool & equipment for the amount of \$5,177.01 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.

ACTION: Motion to to take resolution 2022-27 next on the agenda item K.4. 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

L. New Business

1. Discussion and Action regarding the language for the Special Financial Town Meetings Resolutions

ACTION: Motion to discuss item L.1. by Ken Pichette second by Arthur Russo;
Motion passed with a 5:0

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

NOES: None

ABSTAIN: None

ACTION: Motion to questions be submitted to the town moderator through the town clerk to be placed on his agenda for the sftm 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

2. Resolutions for Introduction for Referral to Committee

a. **2022-27**

Resolution authorizing the use of American Rescue Plan Act (ARPA) Funds for Water/Sewer/Wastewater Improvements

Leslie Quish, Town Engineer, spoke on the matter.

ACTION: Motion for immediate consideration item L.2.a. 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 item L.2.a. by Ken Pichette second by Arthur Russo;
Motion passed with a 5:0

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

NOES: None

ABSTAIN: None

ACTION: Motion to take Resolution 2022-28 next on the agenda 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

b. **2022-28**

Resolution Authorizing the Use of American Rescue Plan Act (ARPA) Funds for Transfer to Lincoln Water Commission

Robert Anderson, PE, Water Superintendent spoke on the matter.

ACTION: Motion to immediate consideration item L.2.b. 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 add "up to" before \$375,000 at the 9th whereas and add "up to" before \$100,000 at the 14th whereas by Ken Pichette second by Arthur Russo and 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 item L.2.b. 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

3. Ordinances for Introduction for Referral to Committee

a. **2022-8**

Amendment to Trash Ordinance:
217-21 Apartments and condominiums
217-31 Times for collection; violations and penalties
260-30 Screening and fencing of refuse collection areas

ACTION: Motion to refer to committee item L.3.a. by Ken Pichette second by Arthur Russo;
Motion passed with a 5:0
AYES: Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar
NOES: None
ABSTAIN: None

M. Request for an Executive Session

1. Motion to adjourn into Executive Session pursuant to RIGL 42-46-5(a)(2) potential litigation regarding the Lincoln High School Renovation Project
ACTION: Motion to adjourn into executive session by Bruce Ogni second by Ken Pichette;
Motion passed with a 5:0 by 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 42-46-7(c)
ACTION: Motion to seal the minutes from executive session by Bruce Ogni second by Ken Pichette and Pam Azar;

Motion passed with a 5:0 by 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 direct legal counsel to act as directed in executive session 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

N. Adjourn

Councilor Ogni congratulated everyone on the recent election.

Council President Macksoud wished everyone a Happy Thanksgiving and reminded everyone of the Special Financial Town Meeting on December 13th at LHS and wished Councilor Russo a Happy Birthday.

Councilor Russo wished Council President Macksoud a belated Happy Birthday.

ACTION: Motion to adjourn the meeting 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