



# Town of Lincoln

## Town Council Meeting

April 25, 2023 at 7:00 PM  
Lincoln Town Hall

### MINUTES

#### Board of License Commissioners

##### A. Call to Order

7:00 PM Meeting called to order on April 25, 2023 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](http://www.lincolnri.org), and emailing comments to [meeting@lincolnri.org](mailto:meeting@lincolnri.org).

##### Members Present:

Keith Macksoud, President  
Arthur Russo  
Ken Pichette  
Bruce Ogni  
Pam Azar  
Steven Antanucci, Assistant Town Solicitor  
Philip Gould, Town Administrator

##### B. Pledge of Allegiance

Councilor Russo requested a moment of silence for Derick LeMay who recently passed away.

##### C. Application for a Mobile Food Establishment License

###### 1. Haven Brothers Mobile LLC

**ACTION:** Motion to grant the license by Arthur Russo second by Bruce Ogni;  
Motion passed with a 4:1  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Pam Azar  
**NOES:** Bruce Ogni  
**ABSTAIN:** None

###### 2. Newport Creamery, LLC

**ACTION:** Motion to grant the license by Arthur Russo second by Ken Pichette;  
Motion passed with a 4:1

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Pam Azar

**NOES:** Bruce Ogni

**ABSTAIN:** None

#### **D. Application for a Special Events License**

1. RiMaConn Relay on the Blackstone River Bikway & Pratt Dam on August 26, 2023

**ACTION:** Motion to grant the license and waive the fee contingent upon the non-profit status 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

2. John Martins Foundation Car and Tow Truck Show on September 24, 2023 at 100 Higginson Avenue

**ACTION:** Motion to grant the license and waive the fee 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

3. Amy McPhee - 60th Birthday Party with outdoor entertainment on September 24, 2023 at 20 Westwood Road

**ACTION:** Motion to grant the license item D.3. by Arthur Russo second by Pam Azar;  
Motion withdrawn by both

**AYES:** None

**NOES:** None

**ABSTAIN:** None

**ACTION:** Motion to defer to the next meeting so the applicant can attend by Bruce Ogni 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

**E. Application for a Class F Liquor License**

1. Lincoln Memorial Day Parade Pasta Dinner on May 6, 2023 at the Lincoln Senior Center  
Grace Gervais, Assistant Director of Parks & Recreation was present and answered any questions that the Council may have had.

**ACTION:** Motion to grant the license 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

2. Relic Works LLC d/b/a The Reliquarium hosting Reliquarium Presents on May 13, 2023 at 85 Industrial Circle  
Ivy Ross and Logan Will, the applicants, were present and answered any questions that the Council may have had.

**ACTION:** Motion to grant as amended with the date of may 20, 2023 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. Butterfly Farms - Vines & Vino event on May 5, 2023 at 679 Great Road  
Francesca Lamb, the applicant emailed the Town Clerk to state that this event has been canceled.

**F. Application for a Solicitation Permit**

1. Jeremy Jones of Future d/b/a Future

**ACTION:** Motion to deny the license by Ken Pichette 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

2. Jaiden Milatmouk of Future d/b/a Future

**ACTION:** Motion to deny the license by Ken Pichette 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

**G. Application for a Transfer of Class A Liquor License**

1. Ojohn LLC d/b/a Lincoln Spirit Shop to Oum Corporation d/b/a Lincoln Spirit Shop located at 10 Higginson Avenue  
Doug Emanuel, attorney for the applicant, Mark Hirschikof, attorney for OJohn, and Kishan Patel, owner of Oum, were present and answered any questions that the Council may have had.  
There was no one wishing to speak during the Public Hearing.

**ACTION:** Motion to continue the public hearing to may 16th or sooner 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

- a. Public Hearing
- b. Discussion and action

**H. Application for a Transfer of Class BV Liquor License**

1. STAS Inc. d/b/a Brooksies Pub to ARJK, Inc. d/b/a Maria's Breakfast and Lunch at 616 Smithfield Avenue
- ACTION:** Motion to take victualling license with the liquor license 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

**ACTION:** Motion to separate victualling license with the liquor license item H.1. 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

**ACTION:** Motion to continue the public hearing to may 16, 2023 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

a. Public Hearing (Continued)

b. Discussion and action

2. ENN Inc. d/b/a ENN Japanese Cuisine & Sushi Bar to Nate's Surf Sturf Restaurant, LLC d/b/a Nathaniel's Bistro located at 600 George Washington Highway, Unit 3  
Rafael Ovalles, attorney for the applicant and Gilkania Benitez, owner, were present and answered any questions that the Council may have had. There was no one wishing to speak during the Public Hearing.

**ACTION:** Motion to grant the license but not issued until all the required 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

**ACTION:** Motion to amend the order of the agenda and take the victualling license next 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

- a. Public Hearing
  - b. Discussion and action
3. Guru Kirpa, LLC d/b/a Curry Kitchen to Kinnera, Inc. d/b/a Kinnera Indian Restaurant located at 259 Front Street
- ACTION:** Motion to schedule the public hearing to may 16, 2023 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
- a. Schedule a Public Hearing

#### I. Application for Victualling License

1. STAS Inc. d/b/a Brooksies Pub to ARJK, Inc. d/b/a Maria's Breakfast and Lunch at 616 Smithfield Avenue
- ACTION:** Motion to discuss item I.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 defer to may 16, 2023 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. ENN Inc. d/b/a ENN Japanese Cuisine & Sushi Bar to Nate's Surf Sturf Restaurant, LLC d/b/a Nathaniel's Bistro located at 600 George Washington Highway, Unit 3
- ACTION:** Motion to grant the license but not issue until all required 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

**ACTION:** Motion to amend the previous motion to add but not issue until all required approvals are met 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

**J. Holiday/MFE License Renewals**

**ACTION:** Motion to grant the licenses below 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

1. Dinolicious LLC MFE
2. Five Below #412
3. Target Store T-2073

**Town Council**

**K. Call to Order**

7:00 PM Meeting called to order on April 25, 2023 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

**L. 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 adopt item L. 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

1. Minutes Approval
  - a. Minutes of March 1, 2023
  - b. Minutes of March 20, 2023
  - c. Minutes of March 21, 2023
  - d. Minutes of April 17, 2023
2. Consideration of Monthly Bills
  - a. Monthly Bills for April 2023
3. Claims for Referral to Committee
  - a. Harold Perry Claim
4. Town Administrator's Reports
  - a. Parks and Rec Monthly Report- March
  - b. Lincoln Senior Center
  - c. Town Clerk's March 2023 Report
  - d. Finance Department
  - e. Human Resource Department- March 2023 Report

- f. Tax Assessor Monthly Report -March
- g. Library March 2023
- h. Building Department Monthly Report
- i. Public Safety Report

5. Communications

- a. Resolution from Hopkinton in support of H 6119 an Act relating to Human Services - Medical Assistance
- b. Resolution from Burillville in opposition to RI 2023 Gun Control Legislation
- c. Application from Miller Properties, LLC for a Zone Change for AP 4, Lot 36

Councilor Russo pulled this item from the Consent Agenda.

**ACTION:** Motion to refer this to the planning board and set public hearing by Arthur Russo second by Ken Pichette and Pam Azar;

Motion passed with a 9:0

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

**NOES:** None

**ABSTAIN:** None

- d. Resolution from Charlestown in support of an Act relating to State Affairs and Government Tourism and Development
- e. Resolution from Charlestown in support of an Act relating to Human Services - Medical Assistance
- f. Resolution from Woonsocket in support of House & Senate Bill regarding Payday Lending Reform

- g. Public Hearing Notice from the Town of Smithfield Planning Department regarding Zone Changes
- h. Letter from RI DOT regarding the Disposition of Surplus State Land, George Washington Highway
- i. Resolution from Exeter in opposition to RI 2023 Gun Control Legislation
- j. Resolution from Exeter in support of an Act relating to Health & Safety - Vital Records
- k. Invitation to South Kingstown 300th Anniversary Parade
- l. Resolution from Little Compton opposing an act relating to inspection of motor vehicles
- m. Resolution from Little Compton in opposition to offshore wind turbines sited off Little Compton
- n. Resolution from Westerly in opposition to 2023 Gun Control Legislation

6. Pole Placement

- a. Pole Placement on Bouvier Avenue
- b. Pole Placement on Gaulin Street
- c. Pole Placement on Church Street
- d. Pole Line Relocation on Cobble Hill Road

**M. Public Comment**

There was no one wishing to speak during the Public Comment.

## **N. Appointments**

1. Appointment to the Tenant Board - District 5 - to fill a vacancy with a term to expire in 2024

**ACTION:** Motion to appoint lee lamothe to the tenant board 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

## **O. Unfinished Business**

1. Ordinance Sub Committee Report

- a. **2023-1**

Amendment to the Capital Improvement Revolving Fund Ordinance

**History:**

| <b>Date</b> | <b>Meeting Body</b>     | <b>Action</b>         |
|-------------|-------------------------|-----------------------|
| 3/21/2023   | Town Council            | Referred to Committee |
| 4/24/2023   | Ordinance Sub Committee | Recommendation        |

**ACTION:** Motion to adopt item O.1.a. by Arthur Russo second by Bruce Ogni;  
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. Levasseur Claim

**History:**

| <b>Date</b> | <b>Meeting Body</b> | <b>Action</b>         |
|-------------|---------------------|-----------------------|
| 2/14/2023   | Town Council        | Referred to Committee |

4/25/2023

Claims Sub  
Committee

Recommendation

**ACTION:** Motion to award the claim in the amount of \$80.51 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. Request to waive competitive bidding for Fireworks Display

**History:**

| Date      | Meeting Body             | Action         |
|-----------|--------------------------|----------------|
| 4/25/2023 | Purchasing Sub Committee | Recommendation |

**ACTION:** Motion to award the bid to central main pyrotechnics in the amount of \$14,500 by Ken Pichette second by Arthur Russo and Pam Azar;  
Motion passed with a 5:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni, Pam Azar  
**NOES:** None  
**ABSTAIN:** None

b. Award bid for Comprehensive Plan Update

**History:**

| Date       | Meeting Body             | Action         |
|------------|--------------------------|----------------|
| 04/25/2023 | Purchasing Sub Committee | Recommendation |

**ACTION:** Motion to award the bid to weston & sampson in the amount of \$139,400 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 stated that there was no update.

**P. New Business**

1. Resolutions for Introduction for Referral to Committee

a. **2023-6**

Resolution authorizing the Write-Off of Uncollectible Taxes

**ACTION:** Motion to immediate consideration 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 adopt 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. **2023-7**

Resolution to approve Rescue Truck Lease Purchase Agreement

**ACTION:** Motion to immediate consideration 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 adopt 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. **2023-8**

Resolution to designate the Town of Lincoln as a Pace municipality  
and to approve the C-Pace Agreement

**ACTION:** Motion to refer to committee 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. Ordinances for Introduction for Referral to Committee

- a. **2023-3**  
An amendment to Section 217-26 - Violations and Penalties for Recycling

**ACTION:** Motion to refer to committee 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

- b. **2023-4**  
An amendment to Section 75-7 - Restraint requires; citations; penalties for Dogs

**ACTION:** Motion to refer to committee by Ken Pichette 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

**Q. Adjourn**

**ACTION:** Motion to take an emergency resolution pursuant to rigl 42-46-6(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 immediate consideration item Q. 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 by Ken Pichette second by Bruce Ogni;  
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

Council President Macksoud announced the Pasta Supper in support of the Memorial Day Parade on May 6th at the Lincoln Senior Center and the Financial Town Meeting on May 8th at Lincoln High School at 7:00 p.m. and the doors open at 6:15 p.m. and to remember to bring a photo ID.

Administrator Gould also reminded the importance of attending the Financial Town Meeting.

**ACTION:** Motion to adjourn the meeting in memory of Marilyn Robillard by Pam Azar second by all;  
Motion passed with a 5:0

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

**NOES:** None

**ABSTAIN:** None