



# Town of Lincoln

## Town Council Meeting

June 20, 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 June 20, 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, Chair  
Arthur Russo, Jr.  
Ken Pichette  
Bruce Ogni  
Anthony DeSisto, Town Solicitor  
Philip Gould, Town Administrator

##### Members Absent:

Pam Azar

##### B. Pledge of Allegiance

##### C. Presentation of the Audit

Taylor Matthews of Hague, Sahady & Co., P.C. gave the presentation of the audit and answered any questions the Council had.

**ACTION:** Motion to accept the audit by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

##### D. Application for a Mobile Food Establishment

1. Kona Ice Cumberland RI, Inc. d/b/a Kona Ice  
**ACTION:** Motion to grant the license by Arthur Russo second by Ken Pichette;  
Motion passed with a 3:1  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette  
**NOES:** Bruce Ogni  
**ABSTAIN:** None
2. Sam's New York System (Renewal)  
**ACTION:** Motion to grant the license by Arthur Russo second by Ken Pichette;  
Motion passed with a 3:1  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette  
**NOES:** Bruce Ogni  
**ABSTAIN:** None

**E. Application for an Entertainment License**

1. Kinnera, Inc. d/b/a Kinnera Indian Restaurant located at 259 Front Street  
**ACTION:** Motion to grant the license by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

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

1. The Reliquarium - Reliquarium Solstice on June 24th at 85 Industrial Circle  
Ivy Ross, the applicant, was present and answered any questions that the Council had.  
**ACTION:** Motion to grant the license by Bruce Ogni second by Ken Pichette;  
Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

## **G. Application for a Class F1 Liquor License (Special Event)**

1. St. Ambrose Church - Annual Parish Clambake on September 10, 2023 at 191 School Street

**ACTION:** Motion to grant the license by Bruce Ogni second by Arthur Russo;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

## **H. Application for a Special Event License**

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

**ACTION:** Motion to defer the application to next month and request that the applicant be present by Arthur Russo second by Bruce Ogni;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

2. Hartford Marathon Foundation & Webster Bank annual RiMaConn Relay at the Blackstone River Bikeway & Pratt Dam on August 26, 2023

**ACTION:** Motion to grant the license and waive the fee by Ken Pichette second by Bruce Ogni;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

## **I. Application for a Holiday Sales License**

1. Oum Corporation d/b/a Lincoln Spirit Shop located at 10 Higginson Avenue

**ACTION:** Motion to grant the license by Ken Pichette second by Bruce Ogni;

Motion passed with a 4:0

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

**NOES:** None  
**ABSTAIN:** None

**J. Application for a Donation Container**

1. St. Pauly Textile Inc located at 1093 Great Road  
**ACTION:** Motion to defer the application until next month by Bruce Ogni second by Ken Pichette;  
Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

**Town Council**

**K. Call to Order**

7:00 PM Meeting called to order on June 20, 2023 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

- ACTION:** Motion to amend the agenda and add the continuance of executive session from last night to the end of this meeting by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

**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 Ken Pichette second by Arthur Russo;  
Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

1. Minutes Approval
  - a. Minutes of May 15, 2023

- b. Minutes of May 16, 2023
- c. Minutes of May 24, 2023
- 2. Consideration of Monthly Bills - May 2023
- 3. Town Administrator's Reports
  - a. Parks and Rec May report
    - ACTION:** Motion to adopt item L.3.a. by Arthur Russo second by Ken Pichette;  
Motion passed with a 4:0
    - AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni
    - NOES:** None
    - ABSTAIN:** None
  - b. May 2023- Tax Assessor Monthly Report
  - c. Town Clerk's Office May Report
  - d. Lincoln Senior Center
  - e. Public Safety Report
  - f. Human Resource Department- MAY- 2023
  - g. Library Report May 2023
  - h. Building Department Monththly Report
  - i. Finance Report
- 4. State Mandated Reports

- a. 4th Quarter FY 2022 FD-3B and the Annual FY 2022 FD-4 from Manville Fire District

5. Communications

- a. Letter from John Ward, Finance Director, on his retirement
- b. Resolution from Tiverton regarding the Restoration of General Revenue Sharing to Cities and Towns
- c. Resolution from Warren in support of legislation authorizing financing for school construction and/or renovation

- d. Writ of Election from the Office of Governor Daniel J. McKee

**ACTION:** Motion to adopt item L.5.d. by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

- e. Resolution from Barrington recognizing June as PRIDE month

- f. Lincoln Water Commission Presentation on Supply Availability

**ACTION:** Motion to adopt item L.5.f. by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

- g. Resolution from the Town of Burrillville opposing Senate Bill 2023-137 and House Bill 2023-H5201

- h. Abutters Notice from Central Falls Planning Board application

6. Pole Placements

- a. Installation of pole on Wellington Street

**M. Public Comment**

Robert Turner of 19 Great Meadows Lane spoke against Resolution 2023-15.

**N. Appointments**

- 1. Appointments to Steering Committee for Comprehensive Plan

**ACTION:** Motion to appoint Keith Macksoud & Arthur Russo, Jr. to the steering committee for comprehensive plan by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

- 2. Reappointment to the Conservation Commission with a term to expire in 2026

**ACTION:** Motion to defer the appointment until next month by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

- 3. Appointment to the Budget Board - District 3 with a term to expire at next year's FTM

**ACTION:** Motion to appoint Aiden Carey to the budget board - district 3 with a term to expire at next year's FTM by Ken Pichette second by Bruce Ogni and Arthur Russo;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

**O. Unfinished Business**

- 1. Ordinance Sub Committee Report

a. **2023-8**

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

**History:**

| <b>Date</b> | <b>Meeting Body</b>     | <b>Action</b>         |
|-------------|-------------------------|-----------------------|
| 04/25/2023  | Town Council            | Referred to Committee |
| 05/15/2023  | Ordinance Sub Committee | Deferred in Committee |
| 06/19/2023  | Ordinance Sub Committee | Recommendation        |

**ACTION:** Motion to adopt item O.1.a. by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

b. **2023-3**

An amendment to Section 217-26 - Violations and Penalties for Recycling

**History:**

| <b>Date</b> | <b>Meeting Body</b>     | <b>Action</b>         |
|-------------|-------------------------|-----------------------|
| 04/25/2023  | Town Council            | Referred to Committee |
| 05/15/2023  | Ordinance Sub Committee | Deferred in Committee |
| 06/19/2023  | Ordinance Sub Committee | Recommendation        |

Councilor Russo stated that this was deferred in committee.

2. Purchasing Sub Committee Report

a. Bid 2024-01 Roadway Reconstruction

**History:**

| <b>Date</b> | <b>Meeting Body</b>      | <b>Action</b>  |
|-------------|--------------------------|----------------|
| 6/20/2023   | Purchasing Sub Committee | Recommendation |

**ACTION:** Motion to award the bid to pawtucket hot mix asphalt, inc. in the amount of \$1,700,810 by Ken Pichette second by Bruce Ogni and Arthur Russo;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

- b. Request to Waive Competitive Bidding - Classification and Compensation Study

**History:**

| Date      | Meeting Body             | Action         |
|-----------|--------------------------|----------------|
| 6/20/2023 | Purchasing Sub Committee | Recommendation |

**ACTION:** Motion to award the bid to municipal resources, inc. in the amount of \$25,000 by Ken Pichette second by Arthur Russo;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

3. Capital Improvement Committee Report  
Council President Macksoud and Councilor Ogni gave an update on the Physical Education Center.

**P. New Business**

1. Resolutions for Introduction for Referral to Committee

- a. **2023-13**  
Golden Rule Proclamation

**ACTION:** Motion to immediate consideration by Ken Pichette second by Arthur Russo;  
Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

**ACTION:** Motion to adopt item P.1.a. by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0  
**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

b. **2023-14**

Resolution establishing the tax rate for Fiscal Year 2024

**ACTION:** Motion to immediate consideration item P.1.b. by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

**ACTION:** Motion to adopt item P.1.b. by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

c. **2023-15**

Resolution for revision of allocation of Town Council Budget

**ACTION:** Motion to immediate consideration item P.1.c. by Ken Pichette second by Arthur Russo;

Motion passed with a 4:0

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

**NOES:** None

**ABSTAIN:** None

**ACTION:** Motion to adopt item P.1.c. by Ken Pichette second by Arthur Russo;

Motion passed with a 3:1

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

**NOES:** Bruce Ogni

**ABSTAIN:** None

d. **2023-16**

Resolution authorizing amendments to the FY 22/23 Operating Budget

**ACTION:** Motion to immediate consideration item P.1.d. by Arthur Russo second by Ken Pichette;

Motion passed with a 4:0

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

**ACTION:** Motion to adopt item P.1.d. by Ken Pichette second by Arthur Russo;  
Motion passed with a 4:0

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

2. Ordinances for Introduction for Referral to Committee

a. **2023-5**

Amendment to Section 187-17 - Donation Containers

**ACTION:** Motion to refer to committee item P.2.a. by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

**Q. Request for Executive Session**

1. Motion to adjourn into Executive Session pursuant to RIGL 42-46-5(a)(2), for discussion and possible action on:
- A. UTGR v. Keeble tax appeal
  - B. Amica v. Keeble tax appeal

**ACTION:** Motion to adjourn into executive session by Ken Pichette second by Arthur Russo;  
Motion passed with a 4:0 by a roll call vote

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**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;  
Motion passed with a 4:0 by a roll call vote

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

3. Vote on matters from Executive Session

**ACTION:** Motion to have the town solicitor act as directed in executive session by Bruce Ogni second by Ken Pichette;  
Motion passed with a 4:0

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None

**R. Adjourn**

The Town Council wished Councilor Pichette & Councilor Ogni a Happy Birthday.

**ACTION:** Motion to adjourn the meeting by Ken Pichette second by Bruce Ogni;  
Motion passed with a 4:0

**AYES:** Keith Macksoud, Arthur Russo, Ken Pichette, Bruce Ogni  
**NOES:** None  
**ABSTAIN:** None