



Town Council Meeting  
July 25, 2016

EXECUTIVE SESSION - 6:30 pm  
RIGL 42-46-5 (a) (1)

➤ Candidates for Planning Commission

At 7 p.m. a motion was made by Councilwoman Duxbury to come out of the Executive Session. Seconded by Councilman McGee. Motion passed.

Councilman Laboissonniere made a motion to seal the minutes from Executive session. Councilman McGee seconded. Motion passed unanimously.

TOWN COUNCIL MEETING – 7:00 p.m.

Present: Councilman McGee, Vice-President Carlson, Councilwoman Duxbury, Councilman Laboissonniere, President Shibley, Town Manager Graham Waters, Town Solicitor Nick Gorham.

Pledge of Allegiance  
Invocation by President Shibley  
Review of Emergency Evacuation Plan

Approval of Town Council minutes July 11, 2016

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to approve minutes of July 11, 2016. Vote taken: Aye (4); President Shibley abstained as he was absent from the meeting on July 11. Motion passes.

President's Comments

President Shibley commented that he was happy to be home after a great 11 days traveling throughout Europe. He was struck by the vast number of wind turbines throughout Europe and is happy with the direction that this town is taking toward green energy.

He also commented that the recent attacks on law enforcement officers is alarming.

School Committee Report- presented by Donna Kalunian

- The Secretary of the Navy approved the request to establish a Navy National Defense Cadet Corps (NNDCC) unit at Coventry High School. On July 12th, 2016 Mr. Levis signed a contract with the Navy allowing us to develop and offer the program immediately. We are in the process of hiring a lead instructor for the program.
- On August 8<sup>th</sup> from 6:30 pm to 7:30 pm at the Hopkins Hill Fire Station, Mr. Graham Waters, Town Manager and Mr. Craig Levis, Superintendent of Schools, will be holding a listening session for the citizens of Coventry. It is an opportunity for the residents of Coventry to share their ideas, dreams and concerns to the Town manager and Superintendent.
- Furniture and supplies have arrived for all of our kindergarten classrooms and is being delivered to the elementary schools. The modular classroom at Hopkins Hill Elementary School has arrived and is being installed.
- The Town Finance Director, Deputy Treasurer, Town Manager, School Superintendent, Assistant Superintendent and Controller are participating in a three part webinar series entitled: **A Budgeting Guide for Local Government**. The school department would like to thank Mr. Waters and Mr. Thibault for this opportunity.
- We are proud to notify the Town Council that Mrs. Christine Mandese has been hired as the new principal for the Washington Oak elementary School. She was the unanimous choice of our interview committee and a dynamic and passionate educational leader. Mrs. Mandese started as principal on July 18<sup>th</sup>!
- The following summer programs have started:
  - Title I academy at Hopkins Hill
  - Extended School Year Programs for students with disabilities at Washington Oak and Coventry High School
  - Summer School at Coventry High School

## COUNCIL DISTRICT UPDATES

District 3 Councilman McGee had no news to report.

District 5 Councilwoman Duxbury reported that she turned in her resignation for her council seat effective on July 28, 2016 as she is moving to Virginia and is no longer eligible to serve. She stated that she has been honored to serve District 5 and hopes that the voters from District 5 are given the opportunity to vote for her replacement rather than have the Town Council appoint her replacement. She is confident Town Manager Waters will address any District 5 concerns in the interim.

District 1 Vice-President Carlson asked if the town email list server was working and Manager Waters replied that the system is functioning. She inquired about the repairs to Log Bridge and West Log Bridge Roads by Mr. DePasquale. Manager Waters advised an e mail was sent to Wind Energy Development, but we have not heard back yet. Vice-President Carlson then warned the public that there has been an increase in the number of home break-ins in Greene. People should be aware, alert, and lock their homes and cars. She announced that there is a Planning Meeting on July 27.

District 2 Councilman Laboissonniere reported that other than some severe thunderstorms in town causing minimal damage, there was not much to report. He then wished Councilwoman Duxbury and her family all the best with their move.

President Shibley, District 4, added that last week he met with Manager Waters and the Lake Tiogue Association to discuss testing the lake for bacteria to be sure levels are safe for swimmers. They wanted to set up a protocol for testing on Mondays, so that if the results came back high, the situation could be rectified and retested before the weekend. Additionally, O'Rileys Auto Parts is coming to Tiogue Ave and all looks well with the progress of that. He also wished Councilwoman Duxbury the very best in her move to Virginia.

Councilman McGee stated that he had not known that Councilwoman Duxbury would be resigning and that he, too, wanted to wish her and her family luck with their move. He commended her and although he did not always agree with her, it was a pleasure working with her.

## CONSENT AGENDA

1. Additions and abatements for the months of May and June, 2016

Abatements were listed at zero for May and June. President Shibley stated that the additions report looked good.

Councilwoman Duxbury made the motion to accept the Consent Agenda. Vice-President Carlson seconded. Motion passed unanimously.

## **LICENSES**

### **1. Application for 90 day Hawker's license (sandwich cart) by Robert Rochette, from July 11, 2016, tabled to July 25, Town Council meeting**

Mr. Rochette explained that he has received permission from John Koszela to have a sausage cart on his property at 1284 Victory Highway in Greene. He stated that he would be selling sandwiches, burgers and hot dogs from July 12 – October 10.

Councilwoman Duxbury asked Mr. Rochette what kind of traffic he thought he might get out there and he replied that because this was a completely new venture, he did not know what to expect. He will be renting the property from Mr. Koszela.

Councilman McGee has some reservations granting the license to this applicant because of previous business dealings that resulted in a felony. The Town Council wants business in town for sure, but not one that is going to create issues.

Mr. Rochette explained that he had been a contractor and ended up in a dispute with a woman over building her a deck. He claimed the felony result was just because the woman had a better attorney. She kept all his materials and tools and he has been paying her back bit by bit every month as agreed. They never went to trial.

Councilman Laboissonniere asked if Mr. Rochette had all of his state licenses and certifications in place to do such a business. Mr. Rochette said he has all of them in place and will renew them once he gets approval from the Council to go forward. The rent will be finalized once he gets all of his approvals. President Shibley suggested that the Council approve with stipulations, contingent upon him getting proper approvals and a Board of Health certificate.

Councilman Laboissonniere made a motion to grant license with the stipulation that Mr. Rochette gets all the proper approvals and certifications. Mr. Mc Gee seconded with reservation and stressed the stipulations. Motion passed. (3) Aye – Councilmen Laboissonniere, McGee, Shibley; Vice-President Carlson and Councilwoman Duxbury vote No.

At this point President Shibley asked the Council to move Item M ahead of Resolutions K.

### **M. For discussion only – Amendment to Chapter 217 of Coventry Code, titled "Taxation"**

Thomas Kane, Tax Assessor, has recommended a business registration because there is currently no enforceability on behalf of the town to collect personal property tax. This would level the playing field for the town and make sure businesses act as good partners with the town, making tax payments on personal property items. Other cities/towns enacting this type of ordinance are Smithfield, West Warwick, and Woonsocket.

Manager Waters stated that the ordinance will insure that businesses pay personal property taxes and make sure all businesses register, especially those that don't have any sort of state licensing. Businesses are supposed to declare a personal property return declaring assets and many don't.

Councilman Laboissonniere inquired as to what type of businesses this will include and how the town would enforce registration. Mr. Kane replied that by not registering it would be unlawful to do business and if they don't comply, there would be a penalty.

Manager Waters said to do business in town, no matter the type of business, they would need to be registered and there would be a minimal administrative fee of \$10.00. Councilman McGee feels that although the \$10 fee is minimal, it feels like yet another burden on small business. Town Manager Waters responded that this is not about targeting good businesses, it is about targeting the businesses that evade paying taxes and by doing so burden the good businesses. It would also serve as a good tool for data collection and reporting on the businesses that do exist and thrive, and to indicate where economic development may be available. Mr. Kane continued that by not following through on this, the town is giving an incentive to those who continue to not pay taxes, which is unfair to those businesses that operate legitimately.

Vice-President Carlson added that a few years ago there was a list of those businesses that were delinquent on taxes on the website. There has been a loss of revenue to the town because of these uncollectible back taxes. She is not sure if \$10 would make a difference, although the town clearly

needs to do a better job of tracking the local businesses and it is important to know who the delinquents are.

Councilwoman Duxbury stated that this is something she has wanted to establish for years and it is not about the fee. The town needs to do something to recoup taxes and the town needs to attract more businesses than just auto parts stores. She feels that the town needs to do a better job with planning and zoning. This sort of data is necessary to improve the planning and zoning efforts and this data will help the town to make better decisions.

President Shibley agrees with the idea but it comes down to enforcement. Mr. Kane said that having recently filled the part time appraiser position, he and this employee will be canvassing the town to identify all businesses. This will also serve to identify businesses no longer operating and to notify the existing businesses of the new registration.

Mr. Kane gave the business of a landscaper that has multiple pieces of equipment, and a professional office or management company as examples of those that need to register. Manager Waters also added that this aggregate data will provide the town with who the largest employers are along with other critical tools for economic development. Councilwoman Duxbury stated the main goal is having useful information.

President Shibley inquired if the \$10 amount was the right amount. Mr. Kane said it was a good non-overwhelming amount with which to start. Manager Waters stated that staff will now work with Mr. Gorham completing the draft of the ordinance. All were reminded that this topic was all just for discussion only and there would not be a vote.

## RESOLUTIONS

### 1. Affirming the award of a contract for the purchase of a fleet management system for the Department of Public Works

Public Works Director Kevin McGee explained that the following resolution is a line item from the capital improvement budget for an item based on the State Master Price Agreement. Mr. McGee asked the Council to approve the resolution for the Fleet Management System for a price that came in below the amount allocated in the budget. Mr. McGee explained that the FMS allows vehicles to be monitored and to find out idling times thereby being a tool to save fuel. In an emergency, vehicles can be located and reallocated appropriately. This would be in all of DPW and Engineering vehicles. A benefit of FMS is preventative maintenance. East Bay, Lincoln and Pawtucket have given favorable reviews of this system.

Councilwoman Duxbury made a motion to approve the purchase of the FMS. Vice-President Carlson seconded. Motion passed unanimously.

### 2. Affirming the award of a contract for the purchase and installation of a cart tipper on the town's F350 flatbed body

Manager Waters stated that Mr. McGee would be acting as the Interim Director of Parks and Recreation for this item and Mr. McGee said this will assist in the town's recycling efforts. The purchase is for one truck and the impact fees will cover the cost.

Councilman McGee made a motion to approve resolution. Vice-President Carlson seconded. Motion passed unanimously.

### 3. Discussion, consideration and action on report and recommendations of the Charter Review Commission for Amendments to Charter of the Town of Coventry, including the request of the Human Services Director, and including placement of such recommendations on the ballot for November 8, 2016 Statewide General Election, as provided in Coventry Home Rule Charter section 15.20 and RI Const. Art. XIII, section 8 and preparation of ballot questions by town manager and town solicitor (Ref. #5 and 5a)

Before starting, Vice-President Carlson asked if the request of the Human Services Director should be included? Two items are going to be withdrawn and Solicitor Gorham indicated that that discussion is a debate for another time.

The Council decided to go through the Charter Review Amendments one at a time.

Councilwoman Duxbury suggested letting the public question or comment on the amendments. Councilman Laboissoniere asked if the Charter Review meetings had permitted time for Public

Comment. Yes, they had. Mr. Shibley agreed if it's reasonable and relevant. Town Manager Waters began by reading aloud the explanations of the first amendment.

➤ **Recommendation #1 -Section 2.03 Recall**

**EXPLANATION:** The change will bring the requirement percentage better in line with other Towns and Cities in Rhode Island. Please refer to the Municipal Charters in Rhode Island published in December 2006 and revised in 2013 page 115 of the report.

**Section 2.03. Elections; recall:**

**(b) Recall**

The recall petition, as it pertains to a town-wide office holder, shall be signed by at least ~~thirty (30)~~ **twenty (20)** percent of the registered voters of the town and, in addition, by at least twenty (20) percent of the registered voters in each Town Council district for certification purposes. In regard to a district office holder, the recall petition shall be signed by at least ~~thirty (30)~~ **twenty (20)** percent of the registered voters of said district for certification purposes.

Councilman Laboissonniere made a motion to send Recommendation #1 to the ballot. Vice-President Carlson seconded. Motion passed unanimously.

➤ **Recommendation #2 -Section 3.01 Number; term, constituency of Town Council members**

**Section 3.01 Number; term; constituency** [Amended 11-2-2010]

At the general election to be held in November 2012 and every fourth year thereafter, three (3) members, one each from districts 2, 3, and 5, shall be elected, and at the general election to be held in November 2014, and every fourth year thereafter, two (2) members shall be elected from the remaining two (2) districts, each for a term of four (4) years. **Beginning with the general election to be held in November 2018, no member of the town council shall serve more than two (2) consecutive terms.**

**EXPLANATION:** It is the belief of the Charter Review Commission that amending these sections of the charter to limit the number of consecutive terms to two (2) would allow more opportunities for and encourage more people to consider running for the Town Council. A predictable change in the makeup of these elected bodies should bring in new energy, fresh ideas and different perspectives/points of view.

*Vice-President Carlson made the motion to send Recommendation #2 to the ballot.*

Councilman McGee stated that because the town has non-partisan elections, term limits have never stopped anyone from running for election. People are reelected because it's what the people want and he does not want to limit the pool of candidates.

Councilwoman Duxbury asked about the incumbents who run unopposed. Councilman McGee says that even if someone runs unopposed, no one was restricted from running against the incumbent. Vice-President Carlson suggested that the general public may feel intimidated to run against an official who has served in multiple capacities for years and years in multiple offices and committees.

Ken Jackson from the Charter Review Commission did address the issue by stating that although he agrees with Councilman McGee, he pointed out that having an official sit out a term opens the door for more people to participate. Councilman McGee said that there aren't enough people willing to even run for office and to add a limit will limit an already dwindling pool of candidates. President Shibley said that he was hesitant to change the charter because it runs the risk of not having offices filled. He concurred with Councilman McGee that the people speak with their vote and also added that most public office holders really don't want to spend more than 8 years in the same office. He also does not want to overwhelm the voters with so many ballot questions.

Councilman Laboissonniere said that he will be having a primary in District 2 so he feels new people are interested in running. Vice-President Carlson feels these amendments should be put on the ballot and let the voters decide.

President Shibley thinks there needs to be a limit to the number of items on the ballot. The commission has made recommendations and it is up to the Town Council to decide what goes on the ballot. Councilwoman Duxbury and Vice-President Carlson think that it is self-serving not to put term limits out to the voters to decide. President Shibley expressed his concern that the voters might not fully understand the nuances of the charter changes.

Councilwoman Duxbury then seconded Vice-President Carlson's motion to approve Recommendation #2. Aye (2) Members Carlson and Duxbury ; Nay (3) Members Shibley, McGee, and Laboissonniere. Motion does not carry.

➤ **Recommendation #3 - Section 3.16 Ordinances, publication, public hearings**

**Section 3.16 Ordinances**

**First Reading:** Every proposed ordinance, other than an emergency ordinance, shall be read a first time by title at the meeting at which it is introduced and **a summary shall be published in one (1) or more newspapers of general circulation in the town in full in one (1) or more newspapers of general circulation in the town and in full on the town's official website and displayed in two (2) or more locations in conspicuous fashion until such time as the Council shall vote on the merits of such ordinance.** No ordinance, except an emergency ordinance, shall be adopted by the Town Council at the meeting at which it is introduced but it shall be referred to the next subsequent regular or special meeting.

**Mandatory public hearing:** The Town Council, except for an emergency ordinance, shall hold a public hearing on every proposed ordinance after the proposed ordinance has been introduced and **published in summary in one (1) or more newspapers of general circulation in the town in full in one (1) or more newspapers of general circulation in the town and in full on the town's official website and displayed in two (2) or more locations in conspicuous fashion until such time as the Council shall vote on the merits of such ordinance.** No action shall be taken on the ordinance until the conclusion of the public hearing. The Town Council, by majority vote, may amend or otherwise act on the proposed ordinance at the public hearing.

**EXPLANATION:** The Town will be able to reduce the high cost of publishing an entire ordinance in a local newspaper saving tax dollars. The ordinance will be available in full on the Town's Official Website. This will permit residents to access the full definition of the ordinance at no cost to them. The ordinance as stated above will always be posted in a conspicuous place at the Town Hall for reference and upon request a copy can be obtained.

**Publication:** Every ordinance which imposes a penalty for the violation of its provisions shall be published in full by the Town Clerk **on the Town's Official Website and displayed in two (2) or more locations in conspicuous fashion once 18 as a paid advertisement, within one week of the adoption of the ordinance, for a period of not less than 20 days. in a newspaper having general circulation in the town.**

**EXPLANATION:** The ordinance will be available in full on the Town's Official Website which allows residents to access it at no cost to them and for those who do not have an electronic device to access the Town's Official Website the ordinance will be posted in a conspicuous place in the Town Hall. It will also be available in hard copy for those requesting the full description of the ordinance.

Mr. Gorham explained that this recommendation cuts down on advertising but offers multiple conspicuous and detailed explanations of town government proceedings for the voters.

Councilwoman Duxbury made a motion to send Recommendation #3 to the ballot. Vice-President Carlson seconded. Motion passed unanimously.

➤ **Recommendation #4 - Section 4.02 Election**

**Section 4.02 Election**

At the general election to be held in November 1974, and every fourth year thereafter, three (3) members shall be elected. The district shall be determined by the Board of Canvassers and Registration and at the general election to be held in November 1976, and every fourth year thereafter, two (2) members shall be elected from the remaining two (2) districts, each for a term of four (4) years. **Beginning with the general election to be held in November 2018, no member of the school committee shall serve more than two consecutive terms.**

**EXPLANATION:** It is the belief of the Charter Review Commission that amending these sections of the charter to limit the number of consecutive terms to two would allow more opportunities for and encourage more people to consider running for School Committee. A predictable change in the makeup of these elected bodies should bring in new energy, fresh ideas and different perspectives/points of view.

Councilman McGee and President Shibley are against this recommendation, both feel the same way about this as placing term limits.

Councilwoman Duxbury made a motion to approve Recommendation #4. Vice-President Carlson seconded. Aye (2) Members Carlson and Duxbury ; Nay (3) Members Shibley, McGee, and Laboissoniere. Motion does not carry.

➤ **Recommendation #5 - Section 4.10 Forfeiture of office**

**Section 4.10 Forfeiture of office**

**(NEW SECTION)**

**A School Committee member shall forfeit office if the member (1) lacks, at any time during the term of office, any qualifications for the office prescribed by this Charter, or by law; (2) violates any express provision of this Charter; or (3) is convicted of a crime involving moral turpitude.**

**EXPLANATION:** The Charter Review Commission supports the idea that both the offices of a Town Council Member and School Committee Member should be treated equally by the Charter. The proposed new Section 4.10 adds forfeiture of office language to Article IV School Committee that is word-for-word the same as in Article III Town Council under Section 3.04.

This is a new section.

Councilman McGee made a motion to send Recommendation #5 to the ballot. Councilman Laboissoniere seconded. Motion passed unanimously.

➤ **Recommendation #6 - Section 5.01 Appointment, qualifications and compensation of Town Manager**

**Section 5.01 Appointment, qualifications, compensation**

[Amended 11-2-1976, 11-4-2008, effective 1-1-2009; 11-2-2010]

The Town Council shall appoint a Town Manager for an indefinite term and fix the manager's compensation. The Town Manager shall be chosen by the Town Council. The manager shall hold a master's degree in public administration, business administration or related master's degree from an accredited college or university as a minimum degree for the appointment, together with at least five (5) years actual experience ~~as-a~~ **in a position of a** city, town or county government ~~manager or assistant manager~~ **management.** The manager must maintain residency within the Town of Coventry within six (6) months of appointment.

**EXPLANATION:** By redefining the requirements, an individual who has a strong background in other management functions within a town or city or county will qualify as a candidate. Please refer to Slide 20 Recommended Correction to the Home Rule Charter from 2010 General Election for further information.

Councilwoman Duxbury questioned this does not include similar experience. Councilman McGee and Councilman Laboissoniere agreed that this recommendation lowers the standard. Council chose to pass over #6.

➤ **Recommendation #7 - Section 7.04 Written opinions and opinions expressed during town council meetings**

**Section 7.04 Written opinions and opinions expressed during town council meetings**

All written opinions of the Town Solicitor furnished to the Town Council, the Town Manager, and all departments, offices and agencies of the town shall be filed with the Town Clerk and shall become a public record. **All unwritten opinions of the solicitor expressed during any Town Council meeting shall be recorded in the Town Council Minutes as such.**

**EXPLANATION:** The recording of all unwritten opinions in the minutes of a meeting will permit anyone to reference what was said at a later date.

Mr. Gorham offered that this is a good idea because it requires better record keeping. This will ensure that opinions of the Town Solicitor stated in meetings will be recorded. Councilman McGee asked if videotapes did not capture all the info and Mr. Gorham replied that state law now holds final the meeting minutes.

Councilman Laboissoniere made a motion to send Recommendation #7 to the ballot. Vice-President Carlson seconded. Motion passed unanimously.

➤ Recommendation #8 - Section 8.19 Amendments after adoption

Section 8.19 Amendments after adoption

(f) Limitations: ~~Referendum a Approval by Electors. Capital Improvement programs or projects not subject to the provisions of Section 8.55, with an anticipated total cost for such program or project in excess of one hundred thousand dollars (\$100,000.00) shall not be initiated before referendum approval by the electors.~~ **Nothing in this section shall prevent the making of contracts or spending of money for capital improvement projects or other projects, provide that any payments from the Town's General Funds or Property Taxes must be approved annually by the electors at an annual or special Financial Town Meeting. This section shall not apply to projects which have been approved by the electors in accordance with Section 8.55 of this Charter.**

EXPLANATION: 8.19(f) the amendment would eliminate the need for all-day referendum for a Capital Improvement Program, if the program has been approved by the voters at the annual Financial Town Meeting.

Mr. Gorham stated that this amendment addresses an issue raised by bond counsel and was written by Chief Bond Counsel Karen Grande.

Councilman Laboissoniere made a motion to send Recommendation #8 to the ballot. Vice-President Carlson seconded. Motion passed unanimously.

➤ Recommendation #9 - Eliminate Section IX (Personnel Board) The Commission's explanation for elimination is that there are many other means allowing for all of the functions defined currently in Article IX.

**(ELIMINATE SECTION IX)**

EXPLANATION: The personnel board can be eliminated since there are many other means which allows for all of the functions defined in current Article IX.

Mr. Gorham explained that this strikes Section 9 completely. This section is unnecessary because all employees still have the right under federal law to be heard before any termination. This eliminates costly legal fees for the town because ultimately the employee has the right to present his story to the Town Manager before action is taken.

Councilman McGee made the motion to eliminate section 9 from the Charter. Councilman Laboissoniere seconded. Motion passes unanimously.

In addition the Commission has also made a recommendation for corrections to two amendments which were approved by the voters in 2010 as follows:

The first recommendation would be to add a notation within Article V, stating that ballot question 9 as presented to and approved by the voters on the 2010 ballot, adding – **“and shall any person serving as interim town manager not meeting these requirements be eligible no more than one hundred eighty days”**. As it reads today, the language stops at “appointment”, entire amendment should show.

The second recommendation would be to add a notation within Article XVIII on Ballot question 11 **“provided however that if court revenue does not sustain operation of the Court, the Council shall possess the power to abolish the Court”**.

**Recommended Correction to Home Rule Charter**

Attorney Gorham stated that both ballot questions 9 and 11 were approved by the voters and this needs to be in the Charter. He recommends that there should be an asterisk stating that both 9 and 11 were on the ballot in 2010 and were voted upon, yet this was never added to the Charter. Mr. Gorham and Town Manager Waters will see to it that the language is corrected.

Councilman McGee inquired if the Municipal Court isn't covering its costs does the Town Council have the power to abolish the court? Mr. Gorham replied that it would be in the Council's discretion to abolish.

Councilwoman Duxbury made a motion to add to the charter text of the recommendations phrased as ballot questions #9 and #11 in the 2010 election to reflect the same language as the Charter Review Commission, with an asterisk that explains the origin. Vice-President Carlson seconded. Motion

passes unanimously.

Solicitor Gorham went on to say that he will have ballot questions prepared for a special meeting on August 1, 2016 at 6:30 p.m., so that questions can be added to the ballot. He thanked Charter Review Chairman Ken Jackson and the Charter Review Commission for their hard work.

Councilman Laboissoniere made a motion to have Manager Waters and Solicitor Gorham prepare the ballot questions. Vice-President Carlson seconded. Motion passed unanimously.

#### For discussion only – Proposed Fence Ordinance

Councilwoman Duxbury was approached by a constituent as to what laws the town had dictating placing fences upon one's property. Right now the State dictates fence ordinances. Solicitor Gorham stated that fences are considered structures and perhaps it's an issue for zoning. Town Manager Waters asked the Assistant Planner to come forward, who stated that the town only dictates a height restriction now and it is different by zone, Industrial – up to 10 ft., Commercial – up to 8, Residential up to 6 in the rear & side, and four feet in front. Fencing might require building permits and setbacks. Councilwoman Duxbury would like to have something in place for citizens to reference or use to settle any disputes. Town Manager Waters suggested that Asst. Planner Matt Scarcione discuss the need for a fence ordinance with the Planning Commission.

#### **PUBLIC COMMENT**

Mark O'Gorman, 31 Elton Street, came forward to discuss an April 28 email, originating from Town Manager Waters to Paul Sprague, ending with Mr. O'Gorman's wife. He felt the email contained insulting language, directed at Mr. O'Gorman and Mr. Lawrence, and as a taxpayer he expects to have his voice heard by town officials without being insulted.

Nancy Sullivan, 6 White Oak Court, handed out packets of information on the Charter Review Commission's work. She thanked Councilwoman Duxbury for her service to the town as a Town Council member, particularly to District 5. She encouraged the Town Council to let the voters choose her replacement.

Ken Jackson, 2799 Harkney Hill Road, inquired when the Citizen's Advisory Committee report would go before the Town Council. Mr. Waters replied that when he receives a final report, it will go before the Town Council.

Vice President Carlson made a motion, seconded by Councilwoman Duxbury, to adjourn meeting at 9 p.m. Motion carried unanimously.

Respectfully submitted,

Kathy Gray