

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, FEBRUARY 25, 2008

NOTE: Individuals requesting interpreter services for the hearing impaired must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 2/22/2008

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1. A. **INTERVIEWS – 6:00 PM**
- B. **WORK SESSION – Immediately following interviews**
- C. **REGULAR SESSION – 7:30 PM**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
 - A. **Work Sessions – January 23 and February 11, 2008**
 - B. **Regular Session – February 11, 2008**
 - C. **Closed Executive Session – February 11, 2008**

5. CONSENT AGENDA

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- I. Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2006 through 2008: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.
- II. Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.
- III. Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

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6. LICENSES

- A.** A resolution granting a Class F1 - 19 Hour Beverage License for March 1, 2008 beginning at 6:00 PM to RIVER BEND ATHLETIC CLUB, 316 Columbia Street, Peace Dale, RI 02879 to benefit the River Bend AC Charitable Foundation subject to Communications Department and the Union Fire Chief approval. Application by Kim Rose, President, 380 South Road, Wakefield, RI 02879; New.
- (CA) B.** A resolution granting a Miscellaneous Permit to conduct the “2008 Walk for Shelter” on Friday, March 21, 2008 at 8:00 a.m. to WELCOME HOUSE OF SOUTH COUNTY subject to the execution of a hold harmless agreement indemnifying the Town, issuance of a Certificate of Insurance naming the Town as an additional insured in the amounts specified by the Risk Manager, and State Traffic Commission approval. Application by Linda Barden, Executive Director, 8 North Road, Peace Dale, RI 02879; Renewal.
- (CA) C.** A resolution granting a Victualler and Holiday Sales License to SEAVIEW MARKETPLACE INC., 682 Matunuck Beach Road, Wakefield, RI 02879. Application by Daniel Saber, 159 Seabreeze Terrace, Matunuck, RI 02879; Renewal.
- (CA) D.** A resolution granting an Automobile Junkyard License to WARREN S. SHERMAN, 379 Curtis Corner Road, Peace Dale, RI 02883. Application by Warren S. Sherman, 6 President Drive, Narragansett, RI 02882; Renewal.
- (CA) E.** A resolution granting a Tourist Accommodation License to COMPASS ENTERPRISES, LTD, D/B/A DEWEY INN, LTD, 668 Matunuck Beach Road, Wakefield, RI 02879 for 10 spaces, 20 persons. Application by Joan LeBel, 668 Matunuck Beach Road, South Kingstown, RI 02879; Renewal.
- F.** A resolution granting a Victualler License to DIVOZZI ITALIAN BAKERY, 1183 Kingstown Road, Peace Dale, RI 02883. Application by The Italian Bakery, LLC, by Robert Donfrancesco, 13 What Cheer Road, Narragansett, RI 02882; New.

7. PUBLIC HEARING

- A.** A Public Hearing for the purpose of obtaining citizen views on community development, housing needs and program performance relative to filing an application for a FY2008 Small Cities Community Development Block Grant (CDBG). The Town is eligible to apply for \$400,000 in funds for the purpose of undertaking activities that achieve one or more of the following federal goals:
1. Provide employment opportunities for low/moderate income individuals.
 2. Improve housing opportunities for low/moderate income families and individuals.
 3. Provide community facilities and services principally benefiting low/moderate income families and individuals.

8. COMMUNICATIONS

- A.** A communication received February 7, 2008 from Councilman O'Neill requesting adoption of a resolution in support of a 2008 state bond referendum to provide \$15 million for open space preservation, along with copies of resolutions adopted by the Councils of the City of Newport, Town of Portsmouth and Town of Westerly are received, placed on file, and the Town Council further directs _____; continued from February 11, 2008. (1/31/2008 Interim, Item F. and 2/7/2008 Miscellaneous, Item II K.)
- (CA) B.** A communication from the Warren Town Council requesting support of a resolution in regard to global warming is received and placed on file. (2/21/2008 Miscellaneous, Item II. D.)
- (CA) C.** A communication from Fanelle and Mike Tortolani Dated February 16, 2008 expressing support of a Dog Park in South Kingstown is received and placed on file and referred to the Public Hearing to be held on March 10, 2008. (2/21/2008 Miscellaneous, Item II. B.)
- (CA) D.** A communication from Tracey A. Johnson-Mack, Administration, Housing Authority of the Town of South Kingstown dated February 8, 2008 informing the Town Council that Mary E. Asselin is the Acting Executive Director and that any and all contact and correspondence should be directed to her is received and placed on file. (2/14/2008 Interim, Item F.)

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- (CA) E.** A communication from Teresa M. Richard, RN dated February 8, 2008 expressing support of a Dog Park in South Kingstown is received and placed on file and referred to the Public Hearing to be held on March 10, 2008. (2/18/2008 Interim, Item G.)
- (CA) F.** A communication from the Rhode Island House of Representatives dated January 8, 2008 declaring March 29, 2008 as “LIGHTS OUT AMERICA DAY” is received and placed on file. (2/14/2008 Interim, Item H.)
- (CA) G.** Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

9. COMMENTS FROM INTERESTED CITIZENS

10. TOWN MANAGER’S REPORT

11. TOWN SOLICITOR’S REPORT

12. APPOINTMENTS

- A.** A resolution appointing _____ to the _____ Board/Committee/Commission for a term to expire in _____.

13. NEW BUSINESS

- (CA) A.** A resolution adopting a proclamation honoring Margaret Whaley for attaining the Gold Award, as follows:

MARGARET WHALEY

WHEREAS, MARGARET WHALEY has devoted her time and her energy to complete the requirements of and participate in such a worthwhile organization as the Girl Scouts of America, and

WHEREAS, she has met the “Challenge of Living the Promise and Law” of the Girl Scout program and excelled in leadership, service and personal development. She has demonstrated self-discipline, time management skills, originality, and initiative, and

WHEREAS, she has practiced daily the ideals of Girl Scouting and participated in projects promoting growth and knowledge including business and technology, arts and humanities, cultures and global relations, energy conservation, and personal well-being, and

WHEREAS, she has attained the highest rank in Girl Scouting by achieving the Gold Award bringing pride to herself and honor to her Troop #199, her family, and to her community; may this be a preview of her future dedication to a purpose and service – to pursue until she accomplishes the goal that she is seeking.

NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

- B.** A resolution authorizing an extension of an award of bid originally granted on February 28, 2005 and extended on March 27, 2006, and February 12, 2007, to MHQ Municipal Supply of Boston, 36 Spring Street, West Roxbury, MA 02132 for soft body armor through September 1, 2008, in accordance with the terms and conditions of the original bid specifications, and at the existing unit prices:

Safariland Matrix Gold 3A – GIIIA-4.0	\$776.00
American Body Armor – Xtreme 3A – XT3A-2	\$785.00

And as further described in a memorandum from the Police Chief to the Town Manager dated February 15, 2008 and entitled: “Recommendation for Additional Bid Extension – Soft Body Armor.”

- C.** A resolution authorizing an award of contract to Electrical Installations, Inc. 397 Whittier Highway, Moultonboro, NH 03254 for furnishing and installing IFIX Software Upgrades to Wastewater Division’s SCADA system and associated labor to test the system, in an amount not to exceed \$15,028.00, including a \$1,000.00 contingency, and as further detailed in

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a memorandum from the Public Services Director to the Town Manager dated February 19, 2008 and entitled “WWFT SCADA System Upgrades.”

- (CA) D.** A resolution that a claim filed by Mark T. Romano, Esq on behalf of his client, Progressive Northern Insurance Company as subrogee of Jeffrey and Susan Burnett relative to an incident that occurred on or about October 4, 2007 be referred to the Town Solicitor and the Town’s insurance carrier.

- (CA) E.** A resolution opening a portion of the minutes of the Closed Executive Session held on February 11, 2008 specifically as they pertain to the Town Council authorizing the Town Solicitor to accept and execute a negotiated dismissal stipulation in regard to Sprint Spectrum LP vs. Town of South Kingstown Zoning Board, WC2007-0310; as further described in a memorandum from the Town Clerk to the Town Manager dated February 14, 2008 and entitled: “Dismissal Stipulation – Sprint Spectrum LP.”

- F.** A resolution authorizing the Town Manager to sign and submit a CMAQ Project Form under the Transportation Improvement Program for FFY 2009-2012. Said Project Form to request \$419,166 in funding for the Downtown Intermodal Park Enhancement Project and as further described in a memorandum from Principal Planner Nickerson to the Town Manager dated February 20, 2008 and entitled "CMAQ Application for Intermodal Park."

- G.** A resolution authorizing the Town Manager to sign and submit a CMAQ Project Form under the Transportation Improvement Program for FFY 2009-2012. Said Project Form to request \$419,166 in funding for the Downtown Intermodal Park Enhancement Project and as further described in a memorandum from Principal Planner Nickerson to the Town Manager titled 'CMAQ Application for Intermodal Park', dated February 20, 2008".

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- (CA) H.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --...
“Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”