

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

MONDAY, NOVEMBER 9, 2009

**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: 11/5/2009

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1.    **A.    INTERVIEW – 6:30 PM**
- B.    WORK SESSION – 6:45 PM**
- 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 Session – October 26, 2009 and November 2, 2009**
- B.    Regular Sessions – October 26, 2009 and November 3, 2009**
  
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 2008 through 2010: 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 Victualling and Holiday Sales Licenses to SHORT-N-SWEET, 99 Fortin Road, Kingston, RI 02881. Application by Gail A. Elliott, 503 West Avenue, Pawtucket, RI 02860; New.
- B.** A resolution to defer consideration of License Items 6C through 6L until after Public Hearing 7A relative to the renewal of Liquor Licenses.
- C.** A resolution granting a Pool Table License to DAVID BARNES DEVELOPMENT, INC. d/b/a THE MEWS TAVERN, 456 Main Street, Wakefield, RI 02879. Application by Daniel Rubino, Vice President, 500 Pond Street, Wakefield, RI 02879; New.
- D.** A resolution granting a Dance License to KINGSTOWN SUSHI INC. d/b/a KABUKI, 91 Old Tower Hill Road, Wakefield, RI 02879. Application by Yi Fang Chen, President, 20 Cleveland Street, Wakefield, RI 02879; New.
- E.** A resolution granting Sunday Sales Licenses for the year beginning December 1, 2009 to the following; Renewals:

  - GEABER’S LIQUORS INC., 231 Old Tower Hill Road, Wakefield, RI 02879. Application by George Geaber, President, 191 Legend Rock Road, Wakefield, RI 02879.
  - PATSY’S PACKAGE STORE INC., 520 High Street, Peace Dale, RI 02879. Application by Gary J. Dinonsie, President, 524 High Street, Peace Dale, RI 02879.
  - SWEENEY’S PACKAGE STORE INC. d/b/a SWEENEY’S WINE & SPIRITS, 408 Main Street, Wakefield, RI 02879. Application by Michael W. Sweeney, President, 120 River Heights Drive, Wakefield, RI 02879.
  - WAKEFIELD LIQUORS INC., 667 Kingstown Road, Wakefield, RI 02879. Application by Jane E. Costanza, President, 667 Kingstown Road, Wakefield, RI 02879.

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- F. A resolution granting Victualling Licenses for the year beginning December 1, 2009 to the following; Renewals:

629 SUCCOTASH LLC d/b/a MATUNUCK OYSTER BAR, 620 Succotash Road, Wakefield, RI 02879. Application by Perry Raso, Member, 610 Gravelly Hill Road, Wakefield, RI 02879.

APPLEBEE'S RESTAURANT NORTH, LLC d/b/a APPLEBEE'S GRILL & BAR, 15 Commons Corner Way, Wakefield, RI 02879. Application by Rebecca R. Tilden, Vice President, P.O. Box 15508, Lenexa, KS 66285.

CAP'N JACK'S INC. d/b/a CAP'N JACK'S RESTAURANT, 706 Succotash Road, Wakefield, RI 02879. Application by Jack O. Piemonte, President, 46 Benefit Road, Wakefield, RI 02879.

CHELO'S OF SOUTH COUNTY, INC. d/b/a RHODY JOE'S, 515 Kingstown Road, Wakefield, RI 02879. Application by Glenn Chelo, President, 5 Stone Ridge Drive, North Smithfield, RI 02896.

CHEN'S RESTAURANT INC., 60 Old Tower Hill Road, Wakefield, RI 02879. Application by Jack Chen, Vice President, 309 South Road, Wakefield, RI 02879.

ELKS CLUB OF SOUTH KINGSTOWN #1899, 60 Belmont Avenue, Wakefield, RI 02879. Application by John W. Bannister, 60 Belmont Avenue, Wakefield, RI 02879.

GIRO'S MANAGEMENT INC., 501 High Street, Wakefield, RI 02879. Application by Daniel Driscoll, President, 36 Brown's Farm Drive, Kingston, RI 02881.

HANSON'S PUB LLC d/b/a HANSON'S PUB, 210 Salt Pond Road, Wakefield, RI 02879. Application by Gwendoline Woods, Member, 2 Colony Road, Charlestown, RI 02813.

ITALIAN VILLAGE INC. d/b/a ITALIAN VILLAGE RESTAURANT, 195 Main Street, Wakefield, RI 02879. Application by Antonio Mollo, President, 1 Daytona Avenue, Narragansett, RI 02882.

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J.S.R. CO. d/b/a TONY'S PIZZA PALACE, 1916 Kingstown Road, Peace Dale, RI 02879. Application by John Reves, President, 199 West Reach Drive, Jamestown, RI 02835.

KINGSTOWN SUSHI INC. d/b/a KABUKI, 91 Old Tower Hill Road, Wakefield, RI 02879. Application by Yi Fang Chen, President, 20 Cleveland Street, Wakefield, RI 02879.

LOOMIS HOLDING CORP. d/b/a D.B.'S PIZZA, 546 Kingstown Road, Wakefield, RI 02879. Application by Chace Loomis, President, 19 Coral Shell Terrace, Saunderstown, RI 02874.

MIDTOWN CAFÉ INC. d/b/a MIDTOWN CAFÉ, 333 Main Street, Wakefield, RI 02879. Application by Robin McGuigan, President, 36 Serenity Way, Wakefield, RI 02879.

PEGASUS PIZZA INC. d/b/a ESTIA RESTAURANT & PIZZA, 28 Old Tower Hill Road, Wakefield, RI 02879. Application by George Fotopoulos, President, 7 Grey Birch Court, Peace Dale, RI 02879.

PINELLI'S CUCINA TWIST, INC., 2095 Kingstown Road, Wakefield, RI 02879. Application by Stephen P. Marra, President, 187 Charlotte Drive, Warwick, RI 02818.

PUMP HOUSE, INC., 1464 Kingstown Road, Peace Dale, RI 02879. Application by Robert W. Haberland, 74 Buoy Street, Jamestown, RI 02835.

SHOGUN STEAK & SEAFOOD HOUSE II, 59 South County Commons Way, Wakefield, RI 02879. Application by Sali Siharaj, President, 300 Centerville Road, Suite 305, Warwick, RI 02886.

THE TIPPERARY TAVERN, LLC d/b/a TARA MULROY'S JOYCE FAMILY PUB, 907A Matunuck Beach Road, Wakefield, RI 02879. Application by Tara Mulroy, 948 Matunuck Beach Road, Wakefield, RI 02879.

URI BOARD OF GOVERNORS – FACULTY CENTER, 95 Upper College Road, Kingston, RI 02881. Application by Dennis J. Fonseca, Executive Director, 2428 Kingstown Road, Kingston, RI 02881.

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- G.** A resolution granting Victualling and Holiday Sales Licenses for the year beginning December 1, 2009 to ROSE HILL GOLF CLUB, INC., 220 Rose Hill Road, Wakefield, RI 02879. Application by James P. Manning, Vice President, 30 Manning Drive, Narragansett, RI 02882; Renewals.
- H.** A resolution granting Victualling and Dance Licenses for the year beginning December 1, 2009 to the following; Renewals:
- CASEY'S INC., 191 Old Tower Hill Road, Wakefield, RI 02879. Application by Joseph G. Formicola, President, 265 Wood Hill Road, Narragansett, RI 02882.
- LAUREL FOOD AND BEVERAGE, INC. d/b/a LAUREL LANE COUNTRY CLUB, 309 Laurel Lane, West Kingstown, RI 02892. Application by Joseph A. Videtta, President, 55 Green Lane, Canton, MA 02021.
- I.** A resolution granting Victualling, Dance and Holiday Sales Licenses for the year beginning December 1, 2009 to DAVID BARNES DEVELOPMENT, INC. d/b/a THE MEWS TAVERN, 456 Main Street, Wakefield, RI 02879. Application by Daniel Rubino, Vice President, 500 Pond Street, Wakefield, RI 02879; Renewals.
- J.** A resolution granting Victualling, Dance and Pool Table Licenses for the year beginning December 1, 2009 to the following; Renewals:
- BOBBY G'S INC. d/b/a BOBBY G'S PUB, 703 Kingstown Road, Wakefield, RI 02879. Application by Karen A. Sweet, 59 Schooner Drive, Wakefield, RI 02879.
- KEVIN V. FINNEGAN d/b/a OCEAN MIST, 895A Matunuck Beach Road, Wakefield, RI 02879. Application by Kevin V. Finnegan, 331 Succotash Road, Wakefield, RI 02879.
- WHMK, LLC d/b/a SHAM ROCKS, 733 Kingstown Road, Wakefield, RI 02879. Application by Charles A. Pisaturo Jr., Esquire as Chapter 7 Bankruptcy Trustee, 1055 Elmwood Avenue, Providence, RI 02907.

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**K.** A resolution granting Victualling, Holiday Sales, Bowling Alley and Pool Table Licenses for the year beginning December 1, 2009 to OLD MOUNTAIN LANES, INC., 756 Kingstown Road, Wakefield, RI 02879. Application by Robert L. Toth, President, 3986 Tower Hill Road, Wakefield, RI 02879; Renewals.

**L.** A resolution granting Victualling, Dance, Holiday Sales and Tourist Accommodation Licenses for the year beginning December 1, 2009 to the following; Renewals:

BISTRO BY THE SEA, LLC, 364 Cards Pond Road, Wakefield, RI 02879 for 11 spaces, 14 persons. Application by William J. Hanney, Manager, 7 Central Street, South Easton, MA 02375.

SOUTH KINGSTOWN HOTEL ASSOCIATES LLC d/b/a HOLIDAY INN, 3009 Tower Hill Road, Wakefield, RI 02879 for 105 spaces, 210 persons. Application by EHI SK Holdings, Inc., Manager, by Elizabeth Procaccianti, President, 99 Gilbert Stuart Drive, Warwick, RI 02818.

**(CA) M.** A resolution granting Victualling Licenses for the year beginning December 1, 2009 to the following; Renewals:

BLACK BEACH PARTNERS INC. d/b/a THE BURGER SHACK, 99 Fortin Road, Unit 108, Kingston, RI 02881. Application by Benjamin S. Wood, 51 Petal Lane, Wakefield, RI 02879.

BLUEBIRD CAFÉ INC., 554 Kingstown Road, Wakefield, RI 02879. Application by Robert B. Shumaker, 17 Nichols Road, Kingston, RI 02881.

CAFETERIA CONCEPTS, 25 Kenwood Avenue, Wakefield, RI 02879 for concession operations at Old Mountain Field. Application by David O'Dowd, 25 Kenwood Avenue, Wakefield, RI 02879.

CALIENTE MEXICAN GRILL, 99 Fortin Road, Unit 3J, Kingston, RI 02881. Application by Benjamin S. Wood, 51 Petal Lane, Wakefield, RI 02879.

C. L. ENTERPRISES INC. d/b/a HAL'S GARAGE & AUTO BODY, 171 Old Tower Hill Road, Wakefield, RI 02879. Application by R. Harold Thomas, Jr., 11 Wishing Well Circle, Wakefield, RI 02879.

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DC RESTAURANT, LLC d/b/a PICKPOCKETS, 231 Old Tower Hill Road, Wakefield, RI 02879. Application by David J. Carty, 34 Canonchet Way, Narragansett, RI 02882.

FIVE 90, 221 Robinson Street, Wakefield, RI 02879. Application by Nathan Schunke, 298 Dugway Bridge Road, West Kingston, RI 02892.

JUST D'S, 706 Matunuck Beach Road, Unit 3, Wakefield, RI 02879. Application by Amanda G. Dunham, 29 Border Trail, Thompson, CT 06277.

KENTUCKY FRIED CHICKEN / TACO BELL, 139 Old Tower Hill Road, Wakefield, RI 02879. Application by David E. Evans, President, DE Foods, 170 Olde Forge Road, Hanover, MA 02339.

L. CALVITTO'S PIZZA & BAKERY, 60 South County Commons Way, Wakefield, RI 02879. Application by Ronald A. Ramieri, 259 Chestnut Hill Road, Wakefield, RI 02879.

M. A. S. ENTERPRISES LLC d/b/a EL FUEGO MEXICAN GRILL, 344 Main Street, Wakefield, RI 02879. Application by Michael Stewart, 30 Kimberley Drive, Wakefield, RI 02879.

RIVER'S EDGE CAFÉ, 406A Main Street, Wakefield, RI 02879. Application by Russ Mason, 15 Tomahawk Trail South, Wakefield, RI 02879.

SMOOTHY BOOTY & CAFÉ CARIBE, 213 Robinson Street, Wakefield, RI 02879. Application by Robert B. Shumaker, 17 Nichols Road, Kingston, RI 02881.

SOUTH KINGSTON FOOD SERVICES INC. d/b/a D'ANGELO, PIZZA HUT, 71 Old Tower Hill Road, Wakefield, RI 02879. Application by James McLaughlin, P.O. Box 363, West Bridgewater, MA 02379.

SUBWAY AT THE CROSSING LLC, 3045 Tower Hill Road, Wakefield, RI 02879. Application by Robert Keramidas, 684 Orleans Court, Warwick, RI 02886.

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- (CA) N.** A resolution granting Victualling and Holiday Sales Licenses for the year beginning December 1, 2009 to the following; Renewals:

BREWED AWAKENINGS COFFEE HOUSE, 60 South County Commons Way, Wakefield, RI 02879. Application by David J. Levesque, 9 Thayer Avenue, Narragansett, RI 02882.

DADDY’S BREAD, 805 Moonstone Beach Road, Wakefield, RI 02879. Application by Jennifer H. Manzo, 789 Moonstone Beach Road, Wakefield, RI 02879.

JOOLS LLC d/b/a JAVA MADNESS, 134 Salt Pond Road, Wakefield, RI 02879. Application by Mark Lahoud, 24 Fifth Street, Attleboro, MA 02703.

PAMFILIO’S INC. d/b/a ORIGINAL VANILLA BEAN, 757 Matunuck Beach Road, Wakefield, RI 02879. Application by Richard Paolo, President, 194 Washington Street, Wakefield, RI 02879.

RAVI FOOD MART, 79 Old Tower Hill Road, Wakefield, RI 02879. Application by Muhammad Jamil, 10 King Arthur Drive, #120, Niantic, CT 06357.

SFT INC. d/b/a/ HONEYDEW DONUTS, 1237 Kingstown Road, Peace Dale, RI 02879. Application by Charles Tsoumakas, 1 Alberta Street, Hope, RI 02831.

- (CA) O.** A resolution granting Victualling, Holiday Sales and Additional Hours Licenses for the year beginning December 1, 2009 to COFFEE CATS LLC d/b/a TIM HORTONS, 621 Kingstown Road, Wakefield, RI 02879 limited to the drive-up window only between 2 AM and 5 AM. Application by Mary E. Haverly, 45 Lambert Street, Narragansett, RI 02882; Renewals.

- (CA) P.** A resolution granting Victualling, Holiday Sales and three Miscellaneous Peddler Licenses for the year beginning December 1, 2009 to DEL’S MON LLC d.b.a DEL’S OF SOUTH COUNTY, 49 Old Tower Hill Road, Wakefield, RI 02879. Application by Michael J. Cummings, 83 Kingstown Road, Narragansett, RI 02882; Renewals.

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**(CA) Q.** A resolution granting Motion Picture Theatre, Victualling and Holiday Sales Licenses for the year beginning December 1, 2009 to SOUTH KINGSTON CINEMAS LLC d/b/a ENTERTAINMENT CINEMAS, 30 Village Square Drive, Wakefield, RI 02879. Application by Mark Benvenuto, 55 Cambridge Parkway, Cambridge, MA 02142; Renewals.

**(CA) R.** A resolution granting Holiday Sales Licenses for the year beginning December 1, 2009 to the following; Renewals:

BASKETCASE INC., 212 Main Street, Wakefield, RI 02879. Application by Joanne S. Austerlitz, 7 Dovetail Lane, Wakefield, RI 02879.

BENNY'S INC., 688 Kingstown Road, Wakefield, RI 02879. Application by Malcolm C. Bromberg, President, 340 Waterman Avenue, Esmond, RI 02917.

CHERRY LANE INC., 344 Main Street, Wakefield, RI 02879. Application by H. Lincoln Vehmeyer, Jr., 21 Summit Avenue, Narragansett, RI 02882.

FEET FIRST, 153 Old Tower Hill Road, Wakefield, RI 02879. Application by Gerald Richmond, President, Diversified Retailers Inc., 160 Kogoli Way, Wakefield, RI 02879.

JANEESKA, 343B Main Street, Wakefield, RI 02879. Application by Janice Lesniak, 34 Peace Pipe Trail South, Wakefield, RI 02879.

MATUNUCK SURF SHOP, 706 Matunuck Beach Road, Wakefield, RI 02879. Application by Robert Fox, 76 Sweet Fern Lane, Peace Dale, RI 02879.

PLEASANTRIES FLOWER SHOP, INC., 102 Main Street, Wakefield, RI 02879. Application by Meredith Masson, 90 Main Street, Wakefield, RI 02879.

STEWART NURSERY CO. INC., 61 Tuckertown Road, Wakefield, RI 02879. Application by Kyle S. Stewart, 3714B Kingstown Road, West Kingston, RI 02892.

THERAPY BOUTIQUE, 254 Robinson Street, Wakefield, RI 02879. Application by Candace Brown, 150 Schooner Drive, Wakefield, RI 02879.

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ZERO WAMPUM, 161 Old Tower Hill Road, Wakefield, RI 02879. Application by Gerald Richmond, President, Diversified Retailers Inc., 160 Kogoli Way, Wakefield, RI 02879.

- (CA) S.** A resolution granting Theatre and Holiday Sales Licenses for the year beginning December 1, 2009 to LIVE THEATRE, LLC d/b/a THEATRE BY THE SEA, 358 Cards Pond Road, Wakefield, RI 02879. Application by William J. Hanney, 7 Central Street, So. Easton, MA 02356; Renewals.

- (CA) T.** A resolution granting Farm Produce and Holiday Sales Licenses for the year beginning December 1, 2009 to the following; Renewals:

HOLLY RIDGE NURSERY, 895 Liberty Lane, West Kingston, RI 02892. Application by John A. Fink, 210 Ledge Road, Wakefield, RI 02879.

SOSNOWSKI FARMS, 3 & 5 Waites Corner Road, West Kingston, RI 02892. Application by V. Susan Sosnowski, 680 Glen Rock Road, P.O. Box 722, West Kingston, RI 02892.

- (CA) U.** A resolution granting a Farm Produce License for the year beginning December 1, 2009 to SOSNOWSKI FARM, 680 Glen Rock Road, West Kingston, RI 02892. Application by V. Susan Sosnowski, 680 Glen Rock Road, P.O. Box 722, West Kingston, RI 02892; Renewal.

- (CA) V.** A resolution granting Laundry Licenses for the year beginning December 1, 2009 to the following; Renewals:

DIRTY LAUNDRY LLC d/b/a LITTLE REST LAUNDROMAT, 100 Fortin Road, Unit 1, Kingston, RI 02881. Application by Katie Paiva, 34 Fellowship Court, West Greenwich, RI 02817.

GROVE STREET PROPERTIES d/b/a MATUNUCK LAUNDROMAT, 706 Matunuck Beach Road, Wakefield, RI 02879. Application by Barbara Placido, P.O. Box 157, Pomfret, CT 06258.

- (CA) W.** A resolution granting a Miscellaneous Peddler License for the year beginning December 1, 2009 to JACK'S ICE CREAM, 110 Winsor Avenue, North Kingstown, RI 02852. Application by John P. McGarry, Jr., 110 Winsor Avenue, North Kingstown, RI 02852; Renewal.

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- (CA) X. A resolution granting a Tourist Accommodation License for the year beginning December 1, 2009 to ROBERT B. & SUSAN CLENDENEN d/b/a SILVER LAKE COTTAGE, 361 Woodruff Avenue, Wakefield, RI 02879 for 5 spaces, 10 persons. Application by Robert B. Clendenen, 361 Woodruff Avenue, Wakefield, RI 02879; Renewal.

**7. PUBLIC HEARING**

- A. A Public Hearing relative to the renewal of Liquor Licenses for the year beginning December 1, 2009; said licenses are granted contingent upon the issuance of a Certificate of Good Standing from the Rhode Island Division of Taxation, compliance with all Town Ordinances and regulations, the payment of any municipal taxes and user fees in arrears to the Town, and the correction of any fire code violations.

Applications for licenses to sell intoxicating beverages under the provision of Title 3 of the General Laws of 1956, as amended, have been filed at this office as follows:

CLASS A – RETAILER

GEABER'S LIQUORS, INC., by George L. Geaber Jr., President, 231 Old Tower Hill Road, Wakefield, RI; first floor sales area; and as further defined in a site plan on file in the Town Clerk's Office.

PATSY'S PACKAGE STORE, INC., by Gary J. Dinonsie, President, 520 High Street, Peace Dale, RI; first floor sales area; and as further defined in a site plan on file in the Town Clerk's Office.

SWEENEY'S PACKAGE STORE, INC. d/b/a SWEENEY'S WINE & SPIRITS, by Michael W. Sweeney, President, 408 Main Street, Wakefield, RI; first floor sales area; and as further defined in a site plan on file in the Town Clerk's Office.

WAKEFIELD LIQUORS, INC., by Jane E. Costanza, President, 667 Kingstown Road, Wakefield, RI; first floor sales area including expansions granted on May 14, 2001 and September 13, 2004; and as further defined in an amended site plan dated July 27, 2004 on file in the Town Clerk's office.

CLASS B – VICTUALLER

629 SUCCOTASH LLC d/b/a MATUNUCK OYSTER BAR, by Perry Raso, Managing Member, 629 Succotash Road, Wakefield, RI; first floor dining area and outdoor patio area on the southwest corner of the parcel, in accordance with a Special Exception granted January 15, 1979 and Special Use Permit granted June 16, 2004 by the Zoning Board of Review; and as further defined in a site plan on file in the Town Clerk's Office.

APPLEBEE'S RESTAURANTS NORTH LLC d/b/a APPLEBEE'S NEIGHBORHOOD GRILL & BAR, by Rebecca R. Tilden, Vice President, 15 Commons Corner Way, Wakefield, RI; bar/lounge area, all dining areas and the patio area; and as further defined in a site plan on file in the Town Clerk's Office.

BOBBY G'S, INC. d/b/a BOBBY G'S PUB, by Karen A. Sweet, President, 703 Kingstown Road, Wakefield, RI; first floor dining and bar area, and pool table area; and as further defined in an amended site plan dated January 26, 1995 on file in the Town Clerk's Office.

CAP'N JACK'S, INC. d/b/a CAP'N JACK'S RESTAURANT, by Jack O. Piemonte, President, 706 Succotash Road, Wakefield, RI; first floor dining areas (at tables only) as specified in the Special Exception granted by the Zoning Board of Review on April 18, 1979; and as further defined in a site plan on file in the Town Clerk's Office.

CASEY'S, INC. d/b/a CASEY'S GRILL & BAR, by Joseph G. Formicola, Jr., President, 191 Old Tower Hill Road, Wakefield, RI; dining, bar and lounge areas and loft area; and as further defined in a site plan on file in the Town Clerk's Office.

CHELO'S OF SOUTH COUNTY, INC. d/b/a RHODY JOE'S, by Glenn Chelo, President, 515 Kingstown Road, Wakefield, RI; first floor dining area and new dining room area approx. 498 sq. ft.; and as further defined in a site plan on file in the Town Clerk's Office.

CHEN'S RESTAURANT, INC., by Jack Chen, Vice President, 60 Old Tower Hill Road, Wakefield, RI; dining, bar and lounge areas; and as further defined in a site plan on file in the Town Clerk's Office.

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DAVID BARNES DEVELOPMENT, INC. d/b/a THE MEWS TAVERN, by Daniel F. Rubino, Vice President, 456 Main Street, Wakefield, RI; first and second floor, mezzanine and third floor lounge of the building including a 40 foot expansion, as described in the special exceptions (special use permits) granted by the Zoning Board of Review on April 20, 1994, September 17, 1997 and January 21, 2004; and as further defined in the site plan dated February 23, 2004 on file in the Town Clerk's office.

GIRO'S MANAGEMENT, INC. d/b/a GIRO'S RESTAURANT, by Daniel Driscoll, President, 501 High Street, Wakefield, RI; first floor dining room and bar area; and as further defined in a site plan on file in the Town Clerk's Office, subject to issuance of the 2008-2009 Liquor License prior to December 1, 2009.

HANSON'S PUB, LLC, by Gwendoline Woods, President, 210 Salt Pond Road, Wakefield, RI; first floor bar and dining areas, lower level bar and outside deck area, a patio in front approximately 1500 square feet and a new deck on the right side of the building as approved after administrative review; and as further defined in a site plan on file in the Town Clerk's Office.

ITALIAN VILLAGE, INC. d/b/a ITALIAN VILLAGE RESTAURANT, by Antonio Mollo, President, 195 Main Street, Wakefield, RI; first and second floor dining areas, and first floor counter area; and as further defined in a site plan on file in the Town Clerk's Office.

KEVIN V. FINNEGAN d/b/a OCEAN MIST, by Kevin V. Finnegan, 895A Matunuck Beach Road, Wakefield, RI; first floor of the building, as defined by the present perimeter of said building, including the south side of the deck, excluding the stairs; and as further defined in a site plan on file in the Town Clerk's Office.

KINGSTOWN SUSHI, INC. d/b/a KABUKI, by Benjamin Qian, Manager, 91 Old Tower Hill Road, Wakefield, RI; first floor lounge and dining areas; and as further defined in a site plan on file in the Town Clerk's Office.

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LAUREL FOOD AND BEVERAGE, INC. d/b/a LAUREL LANE COUNTRY CLUB, by Joseph A. Videtta, President, 309 Laurel Lane, West Kingstown, RI; new Club House with an upstairs bar, lounge, function room and deck, and a downstairs snack shop, lounge and patio deck, and grounds of the Laurel Lane Golf Club; and as further defined in a revised site plan on file in the Town Clerk's Office.

MIDTOWN CAFÉ, INC., by Robin McGuigan, President, 333 Main Street, Wakefield, RI; first floor dining area (25' x 40' southeast corner), and in accordance with the Special Exception granted by the Zoning Board of Review on September 21, 1994; and as further defined in a site plan on file in the Town Clerk's Office.

OLD MOUNTAIN LANES, INC. d/b/a OLD MOUNTAIN LANES, by Robert L. Toth, President, 756 Kingstown Road, Wakefield, RI; first floor dining areas, meeting room, concourse area and bowling area; and as further defined in a site plan on file in the Town Clerk's Office.

PEGASUS PIZZA, INC. d/b/a ESTIA RESTAURANT & PIZZA, by George S. Fotopoulos, President, 28 Old Tower Hill Road, Wakefield, RI; dining rooms and bar area, in accordance with a special exception granted on September 19, 1990; and as further defined in a site plan on file in the Town Clerk's Office.

PINELLI'S CUCINA TWIST, INC. d/b/a CUCINA TWIST, by Stephen P. Marra, President, 2095 Kingstown Road, Peace Dale, RI; first floor dining room, lounge, and bar areas; and as further defined in a site plan on file in the Town Clerk's Office.

PUMP HOUSE, INC., by Robert W. Haberland, President, 1464 Kingstown Road, Peace Dale, RI; bar and dining areas including the lower dining area and loft; and as further defined in a site plan on file in the Town Clerk's Office.

ROSE HILL GOLF CLUB, INC., by James P. Manning, Vice President, 220 Rose Hill Road, Wakefield, RI; first floor of the clubhouse and adjacent patio; and as further defined in a site plan on file in the Town Clerk's Office.

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SHOGUN STEAK & SEAFOOD HOUSE II, INC., by Sali Siharaj, President, 59 South County Commons Way, Wakefield, RI; bar and dining areas, with liquor service in the lounge area at tables only; and as further defined in a site plan on file in the Town Clerk's Office.

THE TIPPERARY TAVERN, LLC d/b/a TARA MULROY'S JOYCE FAMILY PUB, by Tara Mulroy, Member, 907A Matunuck Beach Road, Wakefield, RI; ground floor and deck approximately 20' x 30' in accordance with a Special Use Permit granted by the Zoning Board of Review on November 3, 2004; and as further defined in a site plan dated April 22, 2008 on file in the Town Clerk's office.

WHMK, LLC d/b/a SHAM ROCKS, by Charles A. Pisaturo Jr., Esquire, as Chapter 7 Bankruptcy Trustee, 733 Kingstown Road, Wakefield, RI; first floor dining room and pub connected by a hallway; and as further defined in a site plan on file in the Town Clerk's office.

CLASS B – TAVERN

BISTRO BY THE SEA, LLC, by William J. Hanney, Manager, 364 Card's Pond Road, Wakefield, RI; first floor restaurant, gazebo for intermission, and tents on tennis court, and as described in a Special Use Permit granted by the Zoning Board of Review on August 15, 2007; and as further defined in a site plan dated April 4, 2008 on file in the Town Clerk's Office.

SOUTH KINGSTOWN HOTEL ASSOCIATES, LLC d/b/a HOLIDAY INN SOUTH KINGSTOWN, by EHI SK Holdings, Inc., Manager, by Elizabeth A. Procaccianti, President, 3009 Tower Hill Road, Wakefield, RI; dining, lounge and bar areas, and banquet room, and patio area, and for consumption only in the pool area from 9AM to 9:30PM, only when a lifeguard is present, as described in the Special Exception granted by the Zoning Board of Review on May 18, 1994; and as further defined in a site plan dated March 6, 2008 on file in the Town Clerk's Office.

CLASS B – HOTEL

SOUTH KINGSTOWN HOTEL ASSOCIATES, LLC d/b/a HOLIDAY INN SOUTH KINGSTOWN, by EHI SK Holdings, Inc., Manager, by Elizabeth A. Procaccianti, President, 3009 Tower Hill Road, Wakefield, RI; for all 107 guest rooms located on the first, second, third and fourth floors in the hotel, as described in the Special Use Permit granted by the Zoning Board of Review on June 18, 2008; and as further defined in a site plan on file in the Town Clerk's Office.

CLASS B – LIMITED

J.S.R. CORP. d/b/a TONY'S PIZZA PALACE, by Stamatis Reves, Vice President, 1916 Kingstown Road, Peace Dale, RI; first floor dining area, and counter with the consumption of food; and as described in the Special Exception granted by the Zoning Board of Review on April 17, 1992; and as further defined in a site plan on file in the Town Clerk's Office.

LOOMIS HOLDING CORP. d/b/a D.B.'S PIZZA, by Chace Loomis, President, 546 Kingstown Road, Wakefield, RI; store #4, first floor dining area (tables only) as described in the Special Exception granted by the Zoning Board of Review on January 20, 1988; and as further defined in a site plan on file in the Town Clerk's Office.

CLASS D – CLUB FULL PRIVILEGE

THE ELKS CLUB OF SOUTH KINGSTOWN #1899, by John W. Foreman IV, Exalted Ruler, 60 Belmont Avenue, Wakefield, RI; members lounge, dining room and foyer, and grounds at 60 Belmont Avenue as described in the Special Use Permit granted by the Zoning Board of Review on February 19, 1997; and as further defined in a site plan dated September 30, 1998 on file in the Town Clerk's Office.

URI BOARD OF GOVERNORS - FACULTY CENTER, by M. Beverly Swan, University Club President, 95 Upper College Road, Kingston, RI; the Rhode Island Room, Club Room, Alumni Room, President's Room and Heber's Room in the University Club and the Terrace; and as further defined in an amended site plan on file in the Town Clerk's Office.

**8. COMMUNICATIONS**

- (CA) A. Resolutions adopted by the Cumberland, North Providence and Westerly Town Councils and the North Smithfield School Committee in opposition to legislation regarding mandatory binding arbitration on monetary matters for teacher contracts are received and placed on file. (10/29/2009 Interim, Items C, D; 11/5/2009 Miscellaneous, Item II D.)
- (CA) B. A communication dated October 22, 2009 from Susan A. Gustaitis, Executive Director, Jonnycake Center of Peace Dale providing statistical information on their services, and inviting Council members to join their annual Thanksgiving Day food basket distribution at the food pantry, is received and placed on file. (10/29/2009 Interim, Item E.)
- C. A communication dated October 30, 2009 from Betty J. Cotter, Managing Editor, *Independent Newspapers* requesting use of the Town Council Chambers for a legislative forum on December 3, 2009 is received, placed on file, and the Town Council further directs \_\_\_\_\_.  
(11/5/2009 Miscellaneous, Item II B.)
- (CA) D. 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 authorizing the Tax Assessor to abate taxes in the total amount of \$2,991.43, as shown on Tax Abatement Request No. 449.

**B.** A resolution authorizing an award of bid to Childscapes, 1775 Ocean Street, Marshfield, MA 02050 for the purchase of two (2) three-bay arch type swing sets, 180 cubic yards of playground safety surfacing fiber, and twelve safety wear tiles in accordance with all bid specifications in an amount not to exceed \$17,000, including a contingency; and as further described in a memorandum from the Director of Administrative Services to the Town Manager dated October 30, 2009 and entitled: “Bid Recommendation: Village Green Equipment Replacement.”

**(CA) C.** A resolution granting the joint petition of National Grid and Verizon for the use of the public ways named for the purposes stated in said petition, and that the work be done subject to the supervision of the Director of Public Services, as follows:

To set a joint pole (Pole #5½) on Green Hill Avenue as described in Petition No. 206981, conditioned upon the removal of all existing double poles along the entire length of Green Hill Avenue prior to new pole(s) placement; and any new double pole created as part of this request be removed within sixty (60) calendar days of new pole(s) placement, and subject to notification to the Town for municipal utility mark-out prior to setting the poles. Said petition is further described in a memorandum from the Public Services Director to the Town Manager dated October 30, 2009 and entitled: “National Grid Pole Setting Request – Green Hill Avenue.”

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- (CA) D.** A resolution granting the joint petition of National Grid and Verizon for the use of the public ways named for the purposes stated in said petition, and that the work be done subject to the supervision of the Director of Public Services, as follows:

To set a new guy pole (Pole 3) on Smith Street as described in Petition No. 205824, conditioned upon the removal of all existing double poles along the entire length of Smith Street prior to new pole(s) placement; and any new double pole created as part of this request be removed within sixty (60) calendar days of new pole(s) placement, and subject to notification to the Town for municipal utility mark-out prior to setting the poles. Said petition is further described in a memorandum from the Public Services Director to the Town Manager dated October 30, 2009 and entitled: "National Grid Pole Setting Request – Smith Street."

- (CA) E.** A resolution opening a portion of the minutes of the Closed Executive Session held on October 13, 2009 specifically as they pertain to the Town Council authorizing the Town Manager to enter into a three-year collective bargaining agreement with Local 3365 of the International Association of Fire Fighters (IAFF); as further described in a memorandum from the Town Manager to the Town Council dated November 5, 2009 and entitled: "Status of Emergency Medical Services Labor Contract Negotiations."

- F.** A resolution authorizing an award of contract to the Horsley Witten Group, 370 Ives Street, Providence, RI 02906 for specialized consulting services relative to the Comprehensive Community Plan Update, in accordance with all bid specifications, in an amount not to exceed \$55,000 utilizing resources available in the Town's Capital Improvement Program's "Municipal Planning Services Reserve Fund"; and as further described in a memorandum from the Director of Planning to the Town Manager dated November 5, 2009 and entitled: Request for Authorization for Specialized Consulting Services."

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- (CA) G.** 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.”

**14. CLOSED EXECUTIVE SESSION**

- A.** A Closed Executive Session pursuant to RIGL §42-46-5(a)(2) to discuss matters pertaining to collective bargaining or litigation.