

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, MARCH 28, 2011

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: 3/24/2011

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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 Sessions – March 7 and March 14, 2011
- B. Regular Session – March 14 , 2011
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 a Victualling License to PD'S PIZZA INC., 1202 Kingstown Road, Peace Dale, RI 02879. Application by Jacob S. Kamborian, 219 Cole Avenue, Providence, RI 02906; New.
- B.** A resolution granting a Holiday Sales License to SWJ INC. d/b/a PSYCHIC KITTY, 593 Kingstown Road, Wakefield, RI 02879 subject to approval by the Fire Chief and Communications Superintendent. Application by Carolyn Blecharczyk, President, P.O. Box 6729, Warwick, RI 02887; New.
- C.** A resolution granting a Private Detective License to JAMES P. MULLEN, 40 Malbone Street, Warwick, RI 02888. Application by James P. Mullen, 25 Little Rest Road, Kingston, RI 02881; New.
- (CA) D.** A resolution granting Victualling Licenses to the following; Renewals:
 - A & A SANDWICH SHOPS d/b/a SUBWAY AT URI, 99 Fortin Road, Kingston, RI subject to approval by the Fire Chief. Application by Saber Ahmadi, 45 Woodstock Lane, Wakefield, RI 02879.
 - INTERNATIONAL CAFÉ, 99 Fortin Road, Kingston, RI 02881. Application by Bahij Boutros, 62 Waites Corner Road, West Kingston, RI 02892.
- (CA) E.** A resolution granting a Miscellaneous Permit to conduct the 23rd annual Walk For Shelter on Friday, April 22, 2011 at 9 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 for the event in the amounts specified by the Risk Manager, and RIDOT approval. Application by Linda Barden, Executive Director, 8 North Road, Peace Dale, RI 02879; Renewal.

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- (CA) F.** A resolution granting a Miscellaneous Permit to conduct the A Race To Grow 5K on Sunday, June 5, 2011 at 9 a.m. to A PLACE TO GROW, INC. CHILD CARE CENTER 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 for the event in the amounts specified by the Risk Manager, and RIDOT approval. Application by Melissa Sposato, Executive Director, 12 High Street, Wakefield, RI 02879; Renewal.

7. COMMUNICATIONS

- A.** Communications received from Timothy O'Neill, President, Middlebridge Association, and from area residents Kellie King, Catalina Martinez, and Leo and Alice Dery concerning traffic calming measures to reduce speeding on Middlebridge Road are received, placed on file, and the Town Council further directs _____. (3/17/2011 Interim, Item H. and 3/24/2011 Miscellaneous, Item II F.)
- B.** A communication dated March 15, 2011 from Joseph F. Matthews, Assistant Scoutmaster, Troop 44 Matunuck requesting letters of congratulations to William H. Law III, Zachary T. DeLuca, Andrew H. Chinn and Nicholas J. Meehan for attaining the rank of Eagle Scout, and inviting Council members to present the letters at their award ceremony on April 30, 2011 is received, placed on file, and the Town Council further directs _____. (3/17/2011 Interim, Item I.)
- C.** Resolutions adopted March 9, 2011 by the Burrillville Town Council requesting support for two House Bills Relating to Education: 2011 – H 5433 Foundation Level School Support and 2011 – H 5455 Certification of Personnel; and 2011 – H 5461 Relating to Towns and Cities – General Powers concerning background checks for Recreation Department employees or volunteers are received, placed on file, and the Town Council further directs _____. (3/17/2011 Interim, Item L.)
- (CA) D.** A communication received March 8, 2011 from Gillian Madden, a Junior at South Kingstown High School concerning recycling initiatives at the school is received, placed on file, and referred to the Director of Public Services for response. (3/17/2011 Interim, Item M.)

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- (CA) E.** A communication dated March 19, 2011 from David Doweiko regarding school department layoff notices and budgetary concerns is received and placed on file. (3/24/2011 Miscellaneous, Item II B.)
- (CA) F.** A resolution adopted March 21, 2011 by the Jamestown Town Council in support of House Bill 2011 – H 5088 “An Act Relating to Elections – Elective Meetings” that would change the closing time of the polls on election day from 9:00 PM to 8:00 PM is received and placed on file. (3/24/2011 Miscellaneous, Item II C.)
- G.** A communication dated March 15, 2011 from Senator V. Susan Sosnowski requesting that a public informational meeting be scheduled to discuss the closing of the Dugway Bridge is received, placed on file, and the Council further directs _____. (3/24/2011 Miscellaneous, Item II D.)
- (CA) H.** A communication dated March 15, 2011 from Senator V. Susan Sosnowski requesting a meeting with Town officials to discuss rights of way issues is received, placed on file, and referred to staff. (3/24/2011 Miscellaneous, Item II E.)
- I.** A resolution adopted March 17, 2011 by the Glocester Town Council requesting legislation to amend RI General Laws §16-7-23 entitled “Community requirements – Adequate minimum budget provision” that would prevent a Regional School District from presenting an overall budget that reflects prior year debt service which is no longer occurring, is received, placed on file, and the Town Council further directs _____. (3/24/2011 Miscellaneous, Item II I.)
- J.** A communication dated March 16, 2011 from Thomas B. Gentz, President, Charlestown Town Council requesting consideration of their resolution that the State-owned Charlestown and Quonochontaug Breachways in Charlestown and the Weekapaug Breachway in Westerly be designated as State Channels is received, placed on file, and the Town Council further directs _____. (3/24/2011 Miscellaneous, Item II J.)

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- (CA) K.** 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.”

8. COMMENTS FROM INTERESTED CITIZENS

9. TOWN MANAGER’S REPORT

10. TOWN SOLICITOR’S REPORT

11. APPOINTMENTS

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

12. NEW BUSINESS

- (CA) A.** A resolution that a claim filed by James J. McKenna, Esquire on behalf of his client, Maribeth Razza relative to an incident that occurred on or about January 31, 2011 be referred to the Town Solicitor and the Town’s insurance carrier.

- (CA) B.** A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing for the purpose of obtaining citizen views on community development, housing needs and program performance relative to filing a Small Cities Community Development Block Grant (CDBG) application for the Program Year 2011. The Town is eligible to apply for \$400,000 in funds for the purpose of undertaking activities that meet one or more of the following three named national objectives:

1. Urgent needs.
2. Prevention/elimination of slums or blight.
3. Activities benefiting low/moderate income persons.

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- (CA) C.** A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$7,931.11, as shown on Tax Abatement Request No. 467.
- D.** A resolution authorizing an award of bid to J.H. Lynch and Sons, Inc., 270 North Road, P.O. Box 3700, Peace Dale, RI 02883 for the Matunuck School House Road Phase I – Road Reconstruction Project in an amount not to exceed \$787,704, including a contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated March 21, 2011 and entitled “Bid Recommendation – Matunuck School House Road Phase I – Road Reconstruction Project.”
- E.** A resolution authorizing an award of contract to Geisser Engineering Corporation, 227 Wampanoag Trail, Riverside, RI 02915 for Matunuck School House Road Phase I engineering inspection services in an amount not to exceed \$31,000; and as further described in a memorandum from the Public Services Director to the Town Manager dated March 21, 2011 and entitled “Matunuck School House Road Phase I – Resident Inspection Services.”
- F.** A resolution authorizing an award of bid to East Coast Construction, 202 Chase Road, Portsmouth, RI 02871 for the Factory Pond dam repair project in an amount not to exceed \$202,000, including a contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated March 21, 2011 and entitled “Factory Pond Dam Reconstruction Bid Award Recommendation.”
- (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.”

13. CLOSED EXECUTIVE SESSION

- A.** A Closed Executive Session pursuant to RIGL §42-46-5(a)(5) to discuss matters related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.