

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

MONDAY, SEPTEMBER 26, 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: 9/22/2011

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- 1. A. **WORK SESSION – 6:45 PM**  
All items listed on Town Council agenda are subject to discussion.

- B. **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 – September 12, 2011**

- B. **Regular Session – September 12, 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 2010 through 2012: 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 F-1 19 Hour Beverage License to OCEAN STATE THEATRE COMPANY, 364 Cards Pond Road, Wakefield, RI 02879 for the “Beyond the Sea” fundraiser event to be held on Saturday, October 1, 2011 from 5 p.m. to 1 a.m. at Theatre By The Sea. Application by Joel Kipper, Director, P.O. Box 302, Wakefield, RI 02880; New.
- B.** A resolution granting a Miscellaneous Permit to conduct the “Ocean Mist Columbus Day Run” on Monday, October 10, 2011 at 1:00 p.m. to KEVIN V. FINNEGAN d/b/a OCEAN MIST, 895A Matunuck Beach Road, Wakefield, RI 02879 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 RI Department of Transportation approval. Proceeds to benefit the Animal Rescue League of Southern Rhode Island. Application by Kevin V. Finnegan, 331 Succotash Road, Wakefield, RI 02879; New.
- (CA) C.** A resolution granting a Miscellaneous Permit to conduct the “Gear & Beer” 5K Road Race on Sunday, November 20, 2011 at 12:00 p.m. to DAVID BARNES DEVELOPMENT, INC. d/b/a THE MEWS TAVERN, 456 Main Street, Wakefield, RI 02879 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 RI Department of Transportation approval. Proceeds to benefit Easter Seals of Rhode Island. Application by Daniel Rubino, Vice President, P.O. Box 5179, Wakefield, RI 02880; Renewal.
- (CA) D.** A resolution granting Holiday Sales Licenses for the year beginning December 1, 2011 to the following; Renewals:
- CHESHIRE CATS, 333 Main Street, Wakefield, RI 02879. Application by Jeanne A. Dubilewski, 25 Prospect Avenue, Narragansett, RI 02882.
- HEALY NEWS STORE, 231 Robinson Street, Wakefield, RI 02879. Application by Sally H. Minetti, 212 Briarwood Drive, Wakefield, RI 02879.
- MAXI DRUG SOUTH, LP d/b/a RITE AID #10236, 604 Kingstown Road, Wakefield, RI 02879. Application by Michael Podgurski, Vice President, P.O. Box 3165, Harrisburg, PA 17105.

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WAKEFIELD PRESCRIPTION CENTER, 580 Kingstown Road, Wakefield, RI 02879. Application by Joel S. Rittner, President, 7 Homeland Avenue, Narragansett, RI 02882.

- (CA) E.** A resolution granting Victualling Licenses for the year beginning December 1, 2011 to the following; Renewals:

L.P.M. HOLDING CO., INC. d/b/a EPICUREAN FEAST, 132 Fairgrounds Road, West Kingston, RI 02892. Application by Karen L. Imbeau, Accounts Payable Manager, 24 Main Street, Maynard, MA 01754.

SC FOODS, LLC d/b/a PICKPOCKETS DELI, 231 Old Tower Hill Road, Wakefield, RI 02879. Application by David J. Carty, Member, 1004 Boston Neck Road, Suite 3, Narragansett, RI 02882.

- (CA) F.** A resolution granting Victualling and Holiday Sales Licenses for the year beginning December 1, 2011 to the following; Renewals:

BELMONT MARKETPLACE INC., 600 Kingstown Road, Wakefield, RI 02879. Application by Vincent J. Siravo, Jr., President, 29 Everett Street, Newport, RI 02840.

LOCKWOOD COMMERCIAL LLC d/b/a LOCKWOODS MARINA, 650 Succotash Road, Wakefield, RI 02879. Application by Thomas J. Lockwood, 180 Peninsula Road, Wakefield, RI 02879.

- (CA) G.** A resolution granting Victualling, Holiday Sales and Additional Hours Licenses for the year beginning December 1, 2011 to SHAW'S SUPERMARKET, INC., 160A Old Tower Hill Road, Wakefield, RI 02879. Application by Deborah Sunderland, P.O. Box 20, Boise, ID 83726; Renewals.

- (CA) H.** A resolution granting an Automobile Junkyard License for the year beginning December 1, 2011 to PAUL PITCHER d/b/a PITCHER'S GARAGE, 2210 Post Road, Wakefield, RI 02879. Application by Paul Pitcher, P.O. Box 7, Wood River Junction, RI 02894; Renewal.

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- (CA) I.** A resolution granting a Miscellaneous Peddler License for the year beginning December 1, 2011 to EDDIE’S BBQ, LLC, 55 Spice Bush Trail, Narragansett, RI 02882. Application by Steven McLaughlin, 55 Spice Bush Trail, Narragansett, RI 02882; Renewal.

**7. COMMUNICATIONS**

- A.** A communication dated August 25, 2011 from Steven A. Sette, Town Administrator seeking support for Richmond Town Council’s resolution in opposition to a proposal by the RI Department of Transportation to install paid tolls on Route 95 is received, placed on file, and the Town Council further directs \_\_\_\_\_. (9/15/2011 Interim, Item B.)
- B.** A resolution adopted August 24, 2011 by the Burrillville Town Council requesting that RIPTA funding be added to the agenda of the General Assembly’s special session to be held to address the pension crisis is received, placed on file, and the Town Council further directs \_\_\_\_\_. (9/15/2011 Interim, Item C.)
- C.** A resolution adopted September 12, 2011 by the Charlestown Town Council requesting the General Assembly to adopt legislation requiring the RI Department of Environmental Management to approve the use of more cost effective denitrification Onsite Wastewater Treatment Systems is received, placed on file, and the Town Council further directs \_\_\_\_\_. (9/22/2011 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.”

**8. COMMENTS FROM INTERESTED CITIZENS**

**9. TOWN MANAGER’S REPORT**

**10. TOWN SOLICITOR’S REPORT**

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**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 Tracy Durham on behalf of Nationwide Mutual Insurance Company, as subrogee for Mary F. Kemp, relative to an incident that occurred on or about August 28, 2011 be referred to the Town Solicitor and the Town’s insurance carrier.
- (CA) B. 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)(1) to discuss matters pertaining to personnel.