

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, JUNE 25, 2012

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: 6/21/2012

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1.
 - A. **MEET WITH HOUSING AUTHORITY – 5:45 – 6:15 PM** at 69 Uncle Sam’s Lane.
 - B. **INTERVIEWS – 6:30 PM**
 - C. **WORK SESSION – 6:45 PM**
All items listed on Town Council agenda are subject to discussion.
 - D. **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 – June 11, 2012**
 - B. **Regular Session – June 11, 2012**
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 Holiday Sales License to AMERICAN PROMOTIONAL EVENTS INC. – EAST d/b/a TNT FIREWORKS, 1918 Kingstown Road, Wakefield, RI 02879 subject to inspection by the Fire Chief prior to opening. Application by Melissa Goduti, 40 Cherry Street, Unit 23, Wallingford, CT 06492; New.
- B.** A resolution granting a Tourist Accommodation License to ADMIRAL DEWEY INN, 668 Matunuck Beach Road, Wakefield, RI 02879 for 10 spaces, 20 persons. Application by Leon Kasparian, 93 Prospect Street, East Greenwich, RI 02818; New.

7. PUBLIC HEARINGS

- A.** A Public Informational Hearing, continued from June 11, 2012, relative to an application from the South Kingstown Land Trust for funding in accordance with the Town of South Kingstown's "Open Space Project Funding Policy." Said funding will be considered for potential purchase of development rights to 14+ acres of the Browning Farm, a portion of Assessor's Plat 75-3, Lot 44.
- B.** A Public Informational Meeting relative to providing alternative, emergency access to the Biscuit City Road neighborhood. The recommendation is to use an existing fifty foot (50') wide easement in favor of the Town over the Tefft Hill subdivision open space which would allow for an emergency interconnection between the easterly end of White Horn Drive and High Meadow Lane.

8. COMMUNICATIONS

- (CA) A.** 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 _____.
- B. A resolution appointing _____ to the Canvassing Authority to complete a term to expire in March 2015.

13. NEW BUSINESS

- A. A resolution establishing the following Schedule of Wastewater Rates, effective July 1, 2012, and amending the Town’s Schedule of Fees:

Minimum (10,000 cu. ft.) allowance	\$229.00 per 10,000 cu. ft. per year, per unit
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Excess charge (over 10, 000 cu. ft.)	\$2.90/ 100 cu. ft.
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And as further described in a memorandum from the Public Services Director to the Town Manager dated June 15, 2012 and entitled “FY 2012-13 Wastewater User Fee Adjustment.”

- B. A resolution establishing the following water user rate schedule, effective July 1, 2012, and amending the Town’s Schedule of Fees; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 14, 2012 and entitled “FY 2012-13 Water User Fee Adjustment.”

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Meter Size

5/8"	\$178.00
1"	\$242.00
1 1/4"	\$371.00
1 1/2"	\$371.00
2"	\$520.00
3"	\$836.00
4"	\$1,288.00
6"	\$2,541.00

Annual minimum charge for unmetered customers is double the annual minimum assessment

Commodity Rate per 100 cu. Ft.

First 5,000 Cu Ft	Included in Minimum Charge
Over 5,000 Cu Ft	\$2.97

For existing special rate customers supplied through one (1) meter to more than one (1) dwelling or unit on the same platted lot, the rates shall be as follows:

		<u>Allowance</u>
First Unit	\$178.00	5,000 Cu Ft
Each Additional Unit	\$77.00	2,000 Cu Ft

Excess water use over the allowance at commodity rates.

Water furnished by the Utility outside of the Town through one (1) meter shall be charged the minimum meter charge if the meter is furnished by the Utility, and a municipal wholesale rate for all water sold at \$2.97 per 100 cubic feet. The advance payment shall be estimated from the previous year's consumption.

Public and Private Fire Protection (billed in advance)

Public Fire Hydrants	\$286.00
Private Fire Hydrants	\$286.00

Private Fire Connection Size

4"	\$129.00
6"	\$286.00
8"	\$512.00
10"	\$792.00
12"	\$1,147.00

- C. A resolution supporting the nomination of Roland Fiore to the Board of the Rhode Island Economic Development Corporation, as follows.

ROLAND FIORE

WHEREAS, Governor Chafee has nominated Roland Fiore as a candidate for appointment to the Rhode Island Economic Development Corporation, and

WHEREAS, it is necessary to promote economic growth for all our citizens, and for future generations to come and Roland Fiore has the knowledge, expertise and experience to get the job done, and

WHEREAS, Since 1988, Roland has been President of South County Sand and Gravel, Inc., with business interests ranging from road building and concrete manufacturing to residential and commercial property development. He is a 1984 graduate of the University of Rhode Island and currently serves as the Secretary of the Rhode Island Builders Association, and

WHEREAS, Roland knows what it takes for a local business and a small business to survive in this economy and has the knowledge, expertise and experience with financing and managing a successful local business. He can bring all of this knowledge and expertise to the Rhode Island Economic Development Corporation.

NOW THEREFORE WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby request Senator McCaffrey and the Senate Judiciary Committee, Senator V. Susan Sosnowski, and Representatives Lally, Tanzi, Dickinson and Walsh to support the Governor's nomination of Roland Fiore to the Rhode Island Economic Development Corporation.

- D. A resolution adopting the chart of accounts and stated appropriations for the 2012-2013 fiscal year relative to the administration of the Municipal Budget Program and the Major Program Functions and funding levels, in accordance with the South Kingstown Town Code, Chapter 6, Finance, Article I. In General, Sec. 6-1. Financial Management and Procedures, as shown on Exhibit 1 attached hereto.

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- E.** A resolution adopting all Enterprise and Special Revenue Funds as presented in the 2012-2013 Final Town Council Budget approved April 30, 2012, in accordance with the South Kingstown Town Code, Chapter 6, Finance, Article I. In General, Sec. 6-1. Financial Management and Procedures. Said funds are identified as follows:
1. Water Enterprise Fund
 2. Wastewater Enterprise Fund
 3. Solid Waste Enterprise Fund
 4. Senior Services Program Special Revenue Fund
 5. Peace Dale Office Building Special Revenue Fund
 6. Neighborhood Guild Special Revenue Fund

The Finance Director will be responsible for the proper budget administration of all Enterprise and Special Revenue Funds. Financial statements of said funds shall be prepared in accordance with generally accepted accounting principles.

- (CA) F.** A resolution affirming and endorsing the recommendations made by the Conservation Commission to the RIDEM Office of Water Resources/ Permitting Section, Freshwater Wetlands Program in a letter dated June 19, 2012 concerning application #11-0226 by Judith C. Savage, 1852 Ministerial Road, AP 54, lot 49 for a residential dock facility. Said recommendations are further described in a memorandum from the Director of Planning to the Town Manager dated June 19, 2012 and entitled “Wetlands Application of Judith C. Savage, 1852 Ministerial Road, AP 54, lot 49 (proposed residential dock facility).”
- G.** A resolution accepting for Town ownership and maintenance the road and associated infrastructure within the Heritage Estates Subdivision. The road is identified as Monticelli Drive and is described in the Warranty Deed from Grossi Estates, LLC to the Town of South Kingstown. Said deed shall be recorded in the Land Evidence records of the Town. In support of this action, the developer has deposited \$8,300 with the Town’s Finance Department as a maintenance guarantee. Said guarantee shall be held for a period of one year from the date of completion and acceptance of work. This date shall be interpreted to be the same date as Town Council acceptance of the street.

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- H. A resolution authorizing modifications to employee benefits provided to non-union personnel including personal leave, post-retirement healthcare, personal vehicle use, healthcare buyback and life insurance, effective July 1, 2012, in accordance with a memorandum from the Town Manager to the Town Council dated June 19, 2012 and entitled “Non-union Town Personnel – FY 2012-2013 Salary/Benefits Adjustments.”
- I. A resolution authorizing an amendment to an award of bid originally granted on June 13, 2011 to Premier Laboratory, 61 Louisa Viens Drive, Dayville, CT 06241 for analytical laboratory testing services for fiscal year 2012-2013 at the unit prices bid, including Enterococci testing at \$25 per sample; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 18, 2012 and entitled “Bid Recommendation – Analytical Laboratory Testing Services.”
- J. A resolution authorizing the extension of award of bid originally granted on May 24, 2010 to Waste Haulers LLC, 1 Starline Way, Cranston, RI 02921 for the Regular Refuse Package at the unit costs per pickup bid for fiscal year 2012-2013; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 18, 2012 and entitled “Bid Recommendation – Municipal Building Refuse Collection Contract.”
- K. A resolution authorizing the extension of an award of bid originally granted on May 24, 2010 to Waste Management Inc., 26 Patriot Place, Suite 300, Foxborough, MA 02035 for the Grit Package at the unit cost of \$45 per pickup for fiscal year 2012-2013; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 18, 2012 and entitled “Bid Recommendation – Municipal Building Refuse Collection Contract.”
- L. A resolution authorizing the extension of an award of bid originally granted on May 24, 2010 to Waste Haulers LLC, 1 Starline Way, Cranston, RI 02921 for the Sludge Transportation Package at the unit cost of \$95 per round trip for fiscal year 2012-2013; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 18, 2012 and entitled “Bid Recommendation – Municipal Building Refuse Collection Contract.”

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- M.** A resolution authorizing an award of bid to D'Ambra Construction Co., Inc., 800 Jefferson Boulevard, Warwick, RI 02887 for the Stony Fort Road Phase I – Road Reconstruction Project in an amount not to exceed \$752,960, including a \$40,000 contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 20, 2012 and entitled “Bid Recommendation – Stony Fort Road Phase I - Road Reconstruction Project.”
- N.** A resolution authorizing the amendment of an award of bid originally granted on May 14, 2012 to Atlantic Control Systems, PO Box 313, Exeter, RI 02822 for Town Hall and Peace Dale Library replacement heating systems from an amount not to exceed \$172,100 to an amount not to exceed \$214,100, including a \$7,000 contingency, to include boiler replacements at the Silver Lake and Kingston Pump Stations; and as further described in a memorandum from the Public Services Director to the Town Manager dated June 20, 2012 and entitled “Bid Recommendation Amendment – Municipal Buildings Heating System Replacement Project (Bid Reference # SK0003PS).”
- O.** A resolution authorizing the abatement of uncollectible tangible/personal property taxes for years 1997, 1998, 1999, 2000, and 2001 in the amount of \$10,371.09; and uncollectible motor vehicle taxes for the years 2001, 2006, 2007, 2008 and 2009 in the amount of \$19,644.21 for a combined total of uncollectible taxes in the amount of \$30,015.30; as further described in a memorandum from the Finance Director to the Town Manager dated June 21, 2012 and entitled “Abatement of Uncollectible Taxes.”
- P.** A resolution authorizing an award of contract to Blum, Shapiro & Company, P.C., 29 South Main Street, West Hartford, CT 06107 for GFMS software selection consulting services in an amount not to exceed \$60,000, including a contingency; and as further described in a memorandum from the Finance Director and Information Systems Administrator to the Town Manager dated June 20, 2012 and entitled “GFMS Consulting Services – RFP Recommendation (SK0002IT).”

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- Q. A resolution that program balances identified below in the 2011-2012 fiscal year appropriations for General Fund (101) shall be transferred to the following Reserve Funds in the corresponding not-to-exceed amounts:

Object Code	Description	Transfer Total	Reserve Fund
120	Budget Adoption Process	\$9,000	Data Processing Improvement Fund
640	Information Technology Division	50,000	Data Processing Improvement Fund
650	Municipal Audit	20,000	Data Processing Improvement Fund
720	Planning Department	40,000	Data Processing Improvement Fund
740	Building and Zoning Inspection	15,000	Data Processing Improvement Fund
920	Streets and Highway Department	51,000	Data Processing Improvement Fund
096	Street Lighting Services	15,000	Data Processing Improvement Fund
1410	Municipal Insurance	10,000	Data Processing Improvement Fund
1420	Unemployment Insurance	9,000	Data Processing Improvement Fund
1510	Social Security Contribution	25,000	Data Processing Improvement Fund
1520	Contribution to Retirement System	46,000	Data Processing Improvement Fund
1550	Worker Compensation	60,000	Data Processing Improvement Fund
	Total Transfer	\$350,000	
920	Streets and Highway Department	150,000	Public Works Imp. Reserve
	Total Transfer	\$150,000	
	Total General Fund Transfer	\$500,000	

FURTHER RESOLVED: That the Town Finance Director, with the advice and consent of the Town Council, is hereby permitted to invest the funds at any time in said savings accounts or certificates of deposit of commercial or savings banks, or trust companies, or in obligations of the United States or its agencies, or in any other short-term investment as would be made by prudent persons of discretion and intelligence.

FURTHER RESOLVED: That the Town Council is hereby authorized to use the total funds, or such part thereof of said Reserve Funds, for capital expenditures as may be voted by the Town Council.

FURTHER RESOLVED: That said sums appropriated to the Reserve Funds shall not revert to the General Fund at the end of the budget year but shall remain in said Reserve Fund to be used as herein provided in any budget period until otherwise voted.

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- (CA) R.** 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 --...
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14. CLOSED EXECUTIVE SESSION

- A.** A Closed Executive Session pursuant to RIGL §42-46-5(a)(2) to discuss matters pertaining to litigation – Village Liquors, LLC vs. Town of South Kingstown.

1. TOWN GENERAL ADMINISTRATION

G- 110-TOWN COUNCIL	\$13,350
G- 120-BUDGET ADOPTION PROCESS	10,096
G- 210-MUNICIPAL LEGAL SERVICES	167,934
G- 220-PROBATE COURT	4,000
G- 310-TOWN CLERK'S OFFICE	264,284
G-350-PUBLIC INFORMATION	14,180
G- 410-CANVASSING AUTHORITY	77,985
G- 510-TOWN MANAGER'S OFFICE	332,489
G- 520-PERSONNEL ADMINISTRATION	80,695
G- 530-LEAGUE OF CITIES AND TOWNS	11,115
G- 540-TOWN HALL OPERATIONS	160,144
G- 610-FINANCE DEPARTMENT	482,552
G- 620-TAX ASSESSOR'S OFFICE	257,789
G- 630-ASSESSMENT BOARD OF REVIEW	600
G- 640-INFORMATION TECHNOLOGY DIVISION	251,268
G- 645-GEOGRAPHIC INFORMATION SYSTEMS	88,883
G- 650-POST YEAR AUDIT	24,250
G- 710-PLANNING BOARD	4,680
G- 720-PLANNING DEPARTMENT	281,374
G- 730-ZONING BOARD OF REVIEW	12,000
G- 740-ZONING/BUILDING INSPECTION	229,397
G-1300-MISCELLANEOUS BOARDS AND AGENCIES	18,350
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	\$2,787,415

2. PUBLIC SAFETY PROGRAMS

G- 810-POLICE DEPARTMENT	\$5,312,799
G- 820-ANIMAL CONTROL - ROAD	67,617
G- 830-ANIMAL CONTROL - SHELTER	158,545
G- 840-COMMUNICATIONS DEPARTMENT	178,397
G- 850-RADIO SERVICES	4,190
G- 860-HARBOR PATROL PROGRAM	29,945
G- 870-FIRE COMPANY DONATION	3,600
G- 880-EMERGENCY MEDICAL SERVICES	1,166,665
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	\$6,921,758

Exhibit 1

3. PUBLIC SERVICES PROGRAMS

G- 910-PUBLIC SERVICES ADMINISTRATION	\$262,430	
G- 920-STREETS AND HIGHWAYS DIVISION	1,796,411	
G- 950-TREE MANAGEMENT PROGRAM	33,302	
G- 960-STREET LIGHTING	130,000	
G- 970-WASTEWATER FUND TRANSFER	9,200	
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		\$2,231,343

4. HUMAN SERVICES PROGRAMS

G-1000-1080-HUMAN SERVICES AGENCIES	\$496,898	
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		\$496,898

5. RECREATION DEPARTMENT

G-1100-RECREATION DEPARTMENT	\$1,358,824	
G-1120-CELEBRATIONS	7,000	
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		\$1,365,824

6. LIBRARY SERVICES

G-1210-PUBLIC LIBRARIES	\$930,089	
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		\$930,089

**7. INSURANCES, FUND CONTINGENCY, AND
EMPLOYMENT BENEFITS PROGRAM**

G-1410-MUNICIPAL INSURANCE	\$220,000	
G-1420-UNEMPLOYMENT INSURANCE	35,000	
G-1430-LIFE INSURANCE	12,000	
G-1510-SOCIAL SECURITY CONTRIBUTION	824,500	
G-1520-CONTRIBUTION TO RETIREMENT SYSTEM	1,112,260	
G-1530-TOWN HEALTH INSURANCES	3,043,929	
G-1550-WORKER COMPENSATION INSURANCE	125,000	
G-1810-GENERAL FUND CONTINGENCY	65,000	
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		\$5,437,689

Exhibit 1

8. CAPITAL IMPROVEMENT PROGRAM

G-1710-CAPITAL BUDGET	\$1,210,000	
		<u>\$1,210,000</u>

9. DEBT SERVICES PROGRAM

G-1620-SCHOOL DEBT SERVICE	\$2,370,336	
G-1621-TOWN DEBT SERVICE	1,220,901	
		<u>\$3,591,237</u>

10. TRANSFER TO SCHOOLS

G-1610-TAX TRANSFER TO SCHOOL FUND	\$48,364,159	
		<u>\$48,364,159</u>

TOTAL 101 GENERAL FUND		<u><u>\$73,336,412</u></u>
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FUNDING SOURCES

CURRENT YEAR TAX LEVY	65,148,020	
PRIOR YEAR PROPERTY TAX	825,000	
IN-LIEU-OF PROPERTY TAX	249,706	
OTHER FUND TRANSFERS	513,871	
STATE REVENUE SOURCES	2,394,693	
LOCAL REVENUES	2,997,786	
SCHOOL FUND TRANSFERS	207,336	
UNDESIGNATED FUND BALANCE	1,000,000	
TOTAL REVENUES		<u><u>\$73,336,412</u></u>