

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

TUESDAY, OCTOBER 9, 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: 10/4/2012

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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 24, 2012**

- B. **Regular Session – September 24, 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 Class F 19 Hour Beverage License to WASHINGTON COUNTY VFW POST 916 for a Harvest Supper to be held on Saturday, October 20, 2012 from 6 p.m. to 10 p.m. at the VFW Hall, 155 High Street, Wakefield, RI 02879; proceeds to benefit their Building Fund. Application by Raymond Greene, 1936 Kingstown Road, Wakefield, RI 02879; New.

- (CA) B.** A resolution granting Victualling Licenses for the year beginning December 1, 2012 to the following; Renewals:

BREAKFAST NOOK INC. II, 575 Kingstown Road, Wakefield, RI 02879. Application by Richard J. Seddon, 196 Spencer Woods Drive, East Greenwich, RI 02818.

CHINA GARDEN, 564 Kingstown Road, Wakefield, RI 02879. Application by Ben Chen, 20 Cleveland Street, Wakefield, RI 02879.

CREIGHTON COMPANY d/b/a SWEET CAKES, 1227 Kingstown Road, Peace Dale, RI 02879. Application by James B. Creighton, President, 351 North Road, Peace Dale, RI 02879.

JANCO CENTRAL, INC. d/b/a BURGER KING, 126 Old Tower Hill Road, Wakefield, RI 02879. Application by Kiki Erikson, 35 Sockanosset Cross Road, Cranston, RI 02920.

S & C ICE CREAM d/b/a BRICKLEY'S ICE CREAM, 322 Main Street, Wakefield, RI 02879. Application by Christina Brophy, 20 Jessica Lane, Wakefield, RI 02879.

- (CA) C.** A resolution granting Victualling and Holiday Sales Licenses for the year beginning December 1, 2012 to the following; Renewals:

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

DRAKE PETROLEUM CO. INC. d/b/a WEST KINGSTON XTRA MART, 3405 Kingstown Road, West Kingstown, RI 02892. Application by Amato DiBiasio, Treasurer, 221 Quinebaug Road, No. Grosvenordale, CT 06255.

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HOWLEY BREAD GROUP LTD. d/b/a PANERA BREAD, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Lee C. Howley, 5430 Portage Drive, Vermillion, OH 44089.

KINGSTON CONVENIENCE MART, 2360 Kingstown Road, Kingston, RI 02881 subject to approval by the Communications Superintendent. Application by Ozcan Eteman, 95 Manville Hill Road, Cumberland, RI 02864.

RAVI FOOD MART, 79 Old Tower Hill Road, Wakefield, RI 02879. Application by Muhammad Jamil, 50 Galway Court, Wakefield, RI 02879.

SOUTH COUNTY DONUTS, INC. d/b/a DUNKIN DONUTS, 231 Old Tower Hill Road, Wakefield, RI 02879. Application by Robert Batista, 75 Tipping Rock Drive, East Greenwich, RI 02818.

SOUTH COUNTY DONUTS, INC. d/b/a DUNKIN DONUTS, 1892 Kingstown Road, Wakefield, RI 02879. Application by Robert Batista, 75 Tipping Rock Drive, East Greenwich, RI 02818.

STARBUCKS COFFEE #2798, 600 Kingstown Road, Wakefield, RI 02879. Application by Mary Her, Tax Department, P.O. Box 34442, Seattle, WA 98124.

(CA) D. A resolution granting Victualling, Holiday Sales and Motion Picture Theatre Licenses for the year beginning December 1, 2012 to SOUTH KINGSTON CINEMA LLC d/b/a ENTERTAINMENT CINEMAS, 30 Village Square Drive, Wakefield, RI 02879. Application by Joseph Armstrong, President, 8 Hawthorne Road, Winchester, MA 01890; Renewals.

(CA) E. A resolution granting Holiday Sales Licenses for the year beginning December 1, 2012 to the following; Renewals:

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

CHESHIRE CATS, 333 MAIN STREET, Wakefield, RI 02879. Application by Jeanne A. Dubilewski, 25 Prospect Avenue, Narragansett, RI 02882.

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DEG LLC d/b/a WAKEFIELD BOOKS, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Geoffrey W. Levy, 11 Oakcliff Road, Wellesley Hills, MA 02481.

DRAKE PETROLEUM CO. INC. d/b/a SOUTH KINGSTOWN SUNOCO, 72 Old Tower Hill Road, Wakefield, RI 02879. Application by Amato DiBiasio, Treasurer, 221 Quinebaug Road, No. Grosvenordale, CT 06255.

FYE #523, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Edward Aidala, Tax Department, Record Town Inc., 38 Corporate Circle, Albany, NY 12203.

MANCO HOLDINGS d/b/a CARTRIDGE WORLD, 50 South County Commons Way, Unit B, Wakefield, RI 02879. Application by Sharon Mancuso, 41 Harbour Terrace, East Greenwich, RI 02818.

MATTHEW'S HALLMARK #95, 160A Old Tower Hill Road, Wakefield, RI 02879. Application by Brook Vitt, P.O. Box 419580, Kansas City, MO 64141.

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.

OLYMPIA SPORTS CENTER, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Kenneth S. Botting, OSC Sports, 5 Bradley Drive, Westbrook, ME 04092.

PETER POTS STONEWARE, 494 Glen Rock Road, West Kingston, RI 02892. Application by Oliver W. Greene III, 494A Glen Rock Road, West Kingston, RI 02892.

POINT JUDITH MARINA, LLC, 360 Gooseberry Road, Wakefield, RI 02879. Application by Don Vivencio, 60 Flintstone Road, Narragansett, RI 02882.

PURPLE COW COMPANY, 205 Main Street, Wakefield, RI 02879. Application by Johanna G. Witham, 946A Tuckertown Road, Wakefield, RI 02879.

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QUICK STOP PETROLEUM INC. d/b/a TOWER HILL TEXACO, 2949 Tower Hill Road, Saunderstown, RI 02874. Application by Ramesh Patel, 9 Colony Drive, Marlboro, NJ 07746.

RADIO SHACK CORPORATION, 20-F Main Street, Wakefield, RI 02879. Application by Gary Anderson, Sr. Tax Manager, P.O. Box 961090, Fort Worth, TX 76161-5025.

RL AUTO GROUP d/b/a SPEEDCRAFT VOLKSWAGEN, 104 Old Tower Hill Road, Wakefield, RI 02879. Application by Roderick H. Lichtenfels, 800 Waterman Avenue, East Providence, RI 02914.

SILVER SPRING MARINE INC., 362 Pond Street, Wakefield, RI 02879. Application by Lynn Fiorenzano, 525 Gravelly Hill Road, Wakefield, RI 02879.

SLEEPY'S LLC, 26 South County Commons Way, Wakefield, RI 02879. Application by Joseph Graci, CFO, 1000 South Oyster Bay Road, Hicksville, NY 11801.

STONE COVE MARINA, INC., 134 Salt Pond Road, Wakefield, RI 02879. Application by Stephen Wood Jr., 10 Larkin Pond Road, West Kingston, RI 02892.

SUPERCUTS #90629, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Alison Pearce, 7201 Metro Blvd., Minneapolis, MN 55439.

UNIQUE IMAGES LLC d/b/a PICTURE THIS, 552 Kingstown Road, Wakefield, RI 02879. Application by Craig Berry, 226 Boston Neck Road, Narragansett, RI 02882.

- (CA) F.** A resolution granting Holiday Sales and Laundry Licenses for the year beginning December 1, 2012 to KINGSTON CLEANERS d/b/a PIER CLEANERS, 50 High Street, Wakefield, RI 02879. Application by Larry Fish, 98 Cedar Hollow Road, Wakefield, RI 02879; Renewals.

- (CA) G.** A resolution granting Holiday Sales and Miscellaneous Peddler Licenses for the year beginning December 1, 2012 to JOHN J. CASEY, 51 Noel Court, Wakefield, RI 02879. Application by John J. Casey, 51 Noel Court, Wakefield, RI 02879; Renewals.

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- (CA) H.** A resolution granting a Farm Produce License for the year beginning December 1, 2012 to FAELLA FARM, 1072 Saugatucket Road, Peace Dale, RI 02879. Application by Chris Faella, 1072 Saugatucket Road, Peace Dale, RI 02879; Renewal.
- (CA) I.** A resolution granting Firearms and Ammunition Licenses for the year beginning December 1, 2012 to the following; Renewals:
- FREEDOM SPORTS AND ARMS, 236 High Street, Wakefield, RI 02879. Application by Leonard A. Cuoco, Sr., 45 Perry Avenue, Wakefield, RI 02879.
- PEACE DALE SHOOTING PRESERVE, 130 Pearls Way, Wakefield, RI 02879. Application by Richard V. Frisella, 130 Pearls Way, Wakefield, RI 02879.
- (CA) J.** A resolution granting a Private Detective License for the year beginning December 1, 2012 to JAMES P. MULLEN, TRP Associates LLC, 51 Jefferson Boulevard, Warwick, RI 02888. Application by James P. Mullen, 25 Little Rest Road, Kingston, RI 02881; Renewal.
- (CA) K.** A resolution granting Theater Licenses for the year beginning December 1, 2012 to the following; Renewals:
- COURTHOUSE THEATER COMPANY d/b/a THE CONTEMPORARY THEATER, 323 Main Street, Wakefield, RI 02879. Application by Terrence G. Simpson, 145 Enterprise Terrace, Kingston, RI 02881.
- COURTHOUSE THEATER COMPANY d/b/a THE CONTEMPORARY THEATER, 50 South County Commons Way, Wakefield, RI 02879. Application by Terrence G. Simpson, 145 Enterprise Terrace, Kingston, RI 02881.
- (CA) L.** A resolution granting Tourist Accommodation Licenses for the year beginning December 1, 2012 to the following; Renewals:
- LEVON KASPARIAN d/b/a ADMIRAL DEWEY INN, 668 Matunuck Beach Road, Wakefield, RI 02879 for 10 spaces, 20 persons. Application by Levon Kasparian, 668 Matunuck Beach Road, Wakefield, RI 02879.

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MEYER HOUSE LLC, 592 Matunuck School House Road, Wakefield, RI 02879 for 2 spaces, 4 persons. Application by Heather Meyer, 592 Matunuck School House Road, Wakefield, RI 02879.

BARBARA VILES d/b/a THE KINGS' ROSE, 1747 Mooresfield Road, Wakefield, RI 02879 for 5 spaces, 10 persons. Application by Barbara Larsen Viles, 1747 Mooresfield Road, Wakefield, RI 02879.

- (CA) M.** A resolution granting Trailer Parks – Mixed Use Facilities Licenses for the year beginning December 1, 2012 to the following; Renewals:

BLACKBEARD HOMEOWNERS ASSOCIATION, 836 Matunuck Beach Road, Wakefield, RI 02879 for 26 spaces. Application by Robert N. Turgeon, Treasurer, 19 Munchen Place, Glen, NH 03838-0488.

MATUNUCK BEACH TRAILER ASSOCIATION, 811 Matunuck Beach Road, Wakefield, RI 02879 for 22 spaces. Application by Stephen E. Reed, President, P.O. Box 88, Chaplin, CT 06235.

7. 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.”

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 authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to the renewal of Liquor Licenses for the year beginning December 1, 2012.
- B. A resolution authorizing an award of contract to Edward Rowse Architects, 115 Cedar Street, Providence, RI 02903 to perform architectural design and consulting services for the EMS South Station Renovation Project in an amount not to exceed \$28,000, including a contingency, per the following schedule of fees, with the stipulation that the Town may terminate the consultant’s contract upon completion of Phase 1 and 2 tasks should the Town decide to delay implementation of the construction phase of the project; and as further described in a memorandum from the Director of EMS to the Town Manager dated October 2, 2012 and entitled “EMS South Station Renovations Bid Recommendation.”

Phase 1 – Lump Sum Fee	\$6,000
Phase 2 – Lump Sum Fee	\$12,000
Optional Phase 3 Services	
Bid Administration – Lump Sum Fee	\$1,200
Construction Administration – Lump Sum Fee	\$4,800
Resident Inspection Services: \$50/per hour – 40 hour allowance	\$2,000
Contingency	\$2,000
Total Award Not to Exceed:	\$28,000

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- (CA) C.** 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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13. CLOSED EXECUTIVE SESSION

- A.** A Closed Executive Session pursuant to RIGL §42-46-5(a)(2) to discuss matters pertaining to litigation relative to the Town vs. FedEx Freight Inc. et al.