

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

MONDAY, MARCH 25, 2013

**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: 3/21/2013

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1. A. **WORK SESSION** – 6:00 PM with our local General Assembly members.
- B. **REGULAR SESSION** – 7:30 PM or immediately following Work Session.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
  - A. **Work Sessions** – March 4, March 5, March 6 and March 11, 2013
  - B. **Regular Session** – March 11, 2013
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 2012 through 2014: 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 – none**

**7. PUBLIC HEARINGS**

- A.** A Public Hearing relative to filing the Program Year 2013 Small Cities Community Development Block Grant (CDBG) application for the purposes of reviewing the draft application and obtaining citizen views on the proposed activities. The Local Priority List is shown on Exhibit 1 attached hereto. The Town is eligible to apply for \$300,000 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.
- B.** A Public Hearing relative to adoption of the proposed update of the South Kingstown Comprehensive Community Plan, in accordance with RIGL §45-22.2-8(b)(2). In summary, the proposed amendments constitute a general update of the current Town of South Kingstown Comprehensive Community Plan Five-Year Update (as approved by the State of Rhode Island on June 20, 2005). The update incorporates contemporary data sets on land use, housing, the local economy, infrastructure, public and recreational facilities, natural and cultural resources and demographics (including various data components from the 2010 Census). The proposed amendments also update each of the South Kingstown Geographic Information System (GIS) Maps that support the plan. In overall terms the update maintains the general goal and policy structure and direction of the current Plan.
- C.** A Public Hearing relative to amending the FY 2012-2013 Position Allocation To Pay Schedule as adopted June 11, 2012 to incorporate the position of Finance and Accounting Administrator, Grade 13 as shown on Exhibit 2 attached hereto.

**8. COMMUNICATIONS**

- A.** A communication dated March 5, 2013 from Eileen Stone, Coordinator, South Kingstown Partnership for Prevention requesting approval of their proposed signage to be distributed to liquor establishments as part of a campaign to reduce impaired driving is received, placed on file, and the Town Council further directs \_\_\_\_\_. (3/14/2013 Interim, Item B.)
- (CA) B.** A resolution adopted March 11, 2013 by the Westerly Town Council in opposition to any and all mandatory binding arbitration legislation currently being considered by the General Assembly for teacher and other school employee contracts, is received and placed on file. (3/14/2013 Interim, Item H.)
- C.** A communication dated March 7, 2013 from Channing Jones, Program Associate, Environment Rhode Island concerning the group's efforts to protect Narragansett Bay from pollution by banning plastic checkout bags in Rhode Island is received, placed on file, and the Town Council further directs \_\_\_\_\_. (3/14/2013 Interim, Item J.)
- D.** A resolution adopted March 13, 2013 by the Newport City Council requesting the General Assembly to amend RIGL §42-46 "Open Meetings" to establish procedures allowing municipalities to permit members of advisory boards and working groups, under certain circumstances, to remotely participate in their meetings by video conferencing is received, placed on file, and the Town Council further directs \_\_\_\_\_. (3/21/2013 Miscellaneous, Item II E.)
- E.** A communication dated March 15, 2013 from Dan Beardsley, Executive Director, RI League of Cities and Towns requesting adoption of resolutions in opposition to General Assembly bills S 0365, S 0777 and H 5699 that would mandate contract continuation ("evergreen" legislation), and General Assembly bills S 0364, H 5340 and H 5389 that would mandate binding arbitration for teacher and other school employee contracts, is received, placed on file, and the Town Council further directs \_\_\_\_\_. (3/21/2013 Miscellaneous, Item II C.)

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- (CA) F.** Resolutions adopted March 18, 2013 by the Middletown Town Council in opposition to General Assembly bills S 0365, S 0777 and H 5699 that would mandate contract continuation (“evergreen” legislation), and General Assembly bills S 0364, H 5340 and H 5389 that would mandate binding arbitration for teacher and other school employee contracts, is received and placed on file. (3/21/2013 Miscellaneous, Item II D.)
- (CA) G.** A communication dated March 13, 2013 from Representative Donna M. Walsh extending an invitation to a Wastewater Task Force meeting on April 8, 2013 at the Quonset Development Annex to evaluate the results of their actions taken last year with regard to rule changes related to onsite wastewater treatment systems, is received and placed on file. (3/21/2013 Miscellaneous, Item II B.)
- (CA) H.** 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**

- A. A resolution affirming a proclamation presented on March 24, 2013 to Christopher W. Burke for attaining the Eagle Scout Award, as follows:

**CHRISTOPHER W. BURKE**

**WHEREAS, CHRISTOPHER W. BURKE** is a graduating Senior at South Kingstown High School who plans on going to college to study business and marine biology. He is a member of Troop #1 in Kingston and has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

**WHEREAS,** in his quest to achieve the designation of Eagle Scout his accomplishments have been many. His hobbies include customizing three saltwater aquariums and designing and building special LED lighting for corals. He received his Coast Guard boater's license at the age of fourteen. He participated in the National High Adventure Sea Base in Key West, Florida where he slept under the stars, cooked his own food, snorkeled and slept in between poisonous trees and mosquitoes, and

**WHEREAS,** for **CHRISTOPHER'S** final Eagle Project he honored the police and rescue personnel in South Kingstown by constructing a pergola outdoors where the employees have lunch, installed landscaping around a granite memorial and flagpole, and performed cleanup in front of the station. The pergola now provides shade and sanctuary for the police who want to take a break outside, and the memorial is surrounded with attractive landscaping, and

**WHEREAS, he** has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop #1 Kingston, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

**NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

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- B.** A resolution affirming a proclamation presented on March 24, 2013 to Nicholas A. Given for attaining the Eagle Scout Award, as follows:

**NICHOLAS A. GIVEN**

**WHEREAS, NICHOLAS A. GIVEN**, a Sophomore and member of the wrestling team at South Kingstown High School is a member of Troop #1 in Kingston and has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

**WHEREAS**, in **his** quest to achieve the designation of Eagle Scout his accomplishments have been many. Three years ago he participated in a high adventure hike 52 miles across a part of the Appalachian Trail and the year after he participated in a high adventure camp in the Florida Keys. During both of these trips he was required to carry all of his gear, in a backpack in Maine and a canoe in Florida, and

**WHEREAS, NICHOLAS’** final Eagle Project involved reclaiming an overgrown parking area at St. Augustine’s Church in Kingston. The project required the coordination of scouts using hand tools and adults with power tools and excavation equipment to remove large bushes and trees and to spread new gravel and stone for the parking area, and

**WHEREAS, he** has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop #1 Kingston, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

**NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

- C. A resolution affirming a proclamation presented on March 24, 2013 to Jonathan F. Masse for attaining the Eagle Scout Award, as follows:

**JONATHAN F. MASSE**

**WHEREAS, JONATHAN F. MASSE**, a Junior and member of the wrestling team at South Kingstown High School is a member of Troop #1 in Kingston and has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

**WHEREAS**, in **his** quest to achieve the designation of Eagle Scout his accomplishments have been many. He has achieved all four Catholic religious awards. Two years ago he participated in a high adventure hike 52 miles across a part of the Appalachian Trail. He is part of Order of the Arrow and served as Den Chief at Aquapaug Cub Scout Camp, and

**WHEREAS, JONATHAN'S** final Eagle Project was to clean historical cemetery #22 on Rose Hill Road in Wakefield. After the brush was cleared the tombstones were photographed and GPS points were plotted. This information was made available to the Historical Society to be placed on their website, as time continues to wear away the stones their history will be preserved, and

**WHEREAS, he** has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop #1 Kingston, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

**NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

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- D. A resolution authorizing an award of bid to Central Dodge Inc., 191 New State Highway, Raynham, MA 02767 for six (6) 2013 Dodge Charger V8 Police Package Vehicles, two (2) 2013 Dodge Charger V8 Police Administrative Package Vehicles, and one (1) 2012 Dodge Charger V8 Police Administrative Package Vehicle in a total amount not to exceed \$216,107, including trade-in allowance and equipment transfer/installation; and as further described in a memorandum from the Police Chief to the Town Manager dated March 14, 2013 and entitled "Bid Recommendation – Police Vehicles."
  
- E. A resolution authorizing an award of bid to Atlas PyroVision Productions, P.O. Box 498, Jaffrey, NH 03452 for the 2013 Fourth of July fireworks display, in accordance with all bidding specifications, in an amount not to exceed \$17,900; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated March 20, 2013 and entitled "Recommendation for bid award – Fourth of July Fireworks Display, Bid Reference #SK0016RD."
  
- (CA) F. A resolution authorizing the extension of an award of bid originally granted on March 26, 2012 to KEMCO, 32 Whispering Pine Way, Exeter, RI 02822 for the operation of concessions at West Kingston Park and Broad Rock Play Fields for a two-year term from 2013 to 2014 for a total payment amount of \$529, in accordance with all bid specifications and subject to all State of Rhode Island Department of Health Food Service regulations; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated March 19, 2013 and entitled "Recommendation for Bid Extension – Concession Operations."
  
- (CA) G. A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to an application for a license to keep and sell alcoholic beverages in South Kingstown in accordance with the General Laws of 1956, as amended, as follows:

**CLASS B VICTUALLER LIQUOR LICENSE**

Application for a Class B Victualler Liquor License by Roba Rustico LLC d/b/a Pizzeria Mezzo, 32 Old Tower Hill Road, Wakefield, RI 02879 by John Russo, Member for the bar area, counter area and dining area at tables; and as further defined in a site plan on file in the Town Clerk's Office.

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- (CA) H.** A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing for public discussion relative to the need for additional liquor licenses within the community.
- I.** A resolution in opposition to General Assembly Bills S 0640 entitled *An Act Relating to Towns and Cities – Ordinances* that would prohibit municipalities from enacting ordinances that are more restrictive than environmental regulations set by DEM and CRMC, and S 0672 and its companion bill H 5425 entitled *An Act Relating to Towns and Cities – The Department of Environmental Management – Jurisdiction* that would empower DEM as the central review agency for land development and subdivision proposals; as further described in a memorandum from the Director of Planning to the Town Manager dated March 20, 2013 and entitled “Legislative Proposals Concerning Regulation of OWTS and Wetlands by State Agencies and Local Communities (S0640 and S0672 and H5425).”
- (CA) J.** 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.”

**LOCAL PRIORITY LIST**

<u>Activity</u>	<u>Title</u>	<u>Amount</u>	<u>Nat'l Objective</u>
#1	Jonnycake Center Food Pantry and Client Programs	\$20,000	LMI
#2	S.K. Housing Rehabilitation Grant Program	\$70,000	LMI
#3	Tetreault Senior Center Annex Rehabilitation	\$34,400	LMI
#4	Welcome House Operating Expenses	\$4,500	LMI
#5	Welcome House Facilities Rehabilitation	\$120,600	LMI
#6	SCCA Safety Barriers	\$5,000	LMI
#7	Peace Dale NRI Art Installations and Landscaping	\$12,000	LMI
#8	Washington County CDC Operating Expenses	\$5,000	LMI
#9	Education Exchange Work Ready Program	\$3,500	LMI
#10	CHLT Operating Expenses	\$3,000	LMI
#11	RICAN Operating Expenses	\$5,000	LMI
#12	RICLAPP Operating Expenses	\$5,000	LMI
	Program Administration	\$12,000	LMI
<b>TOTAL</b>		<b>\$300,000</b>	

(Note: The PY 2013 CDBG application will also include application materials regarding the pre-agreement approval for the activity below. This request is considered "over the cap" and does not count against the Town's \$300,000 maximum.)

DVRC of South County Safe House Conversion	\$120,000	LMI
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**FISCAL YEAR 2012-2013  
POSITION ALLOCATION TO PAY SCHEDULE**

**GRADE 1 (\$30,374 - \$33,628)**

Driver/Dispatcher  
Community Elder Information Specialist  
Library Technical Assistant

**GRADE 2 (\$31,534 - \$34,796)**

*(no position at this time)*

**GRADE 3 (\$32,623- \$35,885)**

Senior Services Program Assistant

**GRADE 4 (\$34,797 - \$38,059)**

*(no position at this time)*

**GRADE 5 (\$35,885 - \$39,148)**

Senior Center Program Coordinator  
Library Circulation Supervisor - Branch

**GRADE 6 (\$38,059- \$41,320)**

Library Associate  
Library Circulation Supervisor

**GRADE 7 (\$40,233 - \$43,495)**

Librarian I

**GRADE 8 (\$42,407 - \$45,670)**

System Support Specialist

**GRADE 9 (\$44,533 - \$47,844)**

Librarian II

**GRADE 10 (\$48,620 - \$54,935)**

Assistant Highway Superintendent  
Librarian III  
Executive Assistant  
Deputy Town Clerk  
Police Administrative Assistant

**GRADE 11 (\$53,851 - \$57,994)**

Nursing Director  
Tax Collector  
Senior Center Director

**GRADE 12 (\$56,958 - \$63,172)**

Personnel Administrator  
Water Superintendent

**GRADE 13 (\$65,127 - \$71,849)**

Town Assessor  
Highway Superintendent  
Building Official  
Library Director  
EMS Director  
Communications Superintendent  
Financial Controller  
Parks Superintendent  
Recreation Superintendent  
Information Systems Administrator  
Finance and Accounting Administrator

**GRADE 14 (\$70,772 - \$76,356)**

Town Clerk \*  
Wastewater Superintendent

**GRADE 15 (\$76,269 - \$85,415)**

Director of Leisure Services  
Town Engineer

**GRADE 16 (\$84,087 - \$91,579)**

Director of Planning  
Director of Administrative Services

**GRADE 17 (\$88,401 - \$94,714)**

Police Chief

**GRADE 18 (\$94,780 - \$103,567)**

Director of Public Services

**GRADE 19 (\$110,500 - \$121,000)**

Finance Director

\*Add'l \$515 Stipend Canvassing Authority