

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, APRIL 22, 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: 4/18/2013

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1. **A. INTERIVEWS – 6:30 PM**
- B. WORK SESSION – 6:45 PM**
 All items listed on Town Council agenda are subject to discussion.
- 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 Session – April 8, 2013**
 - B. **Regular Sessions – April 8, April 9 and April 10, 2013**
 - C. **Closed Executive Session – April 8, 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

- A.** A resolution granting a Victualling License to FIRESIDE FROYO, 50 South County Commons Way, Wakefield, RI 02879 subject to issuance of a Certificate of Occupancy. Application by Heather Sheehan, 11 Elwood Court, Wakefield, RI 02879 and Marc Cabana, 138 Homecrest Avenue, North Smithfield, RI 02896; New.
- (CA) B.** A resolution granting four (4) Victualling Licenses to KEMCO, 32 Whispering Pine Way, Exeter, RI 02822 for concession operations at Broad Rock Playfields, Old Mountain Field, the Town Beach and West Kingston Park. Applications by Kenneth F. Elliott, 32 Whispering Pine Way, Exeter, RI 02822; Renewals.
- (CA) C.** A resolution granting Holiday Sales and Farm Retail Sales Licenses to CARPENTER’S FARM, 522 Matunuck Beach Road, Wakefield, RI 02879. Applications by David W. Carpenter, 520 Matunuck Beach Road, Wakefield, RI 02879; Renewals.
- (CA) D.** A resolution granting Holiday Sales and two (2) Miscellaneous Peddler Licenses to LUCA’S COFFEE & ICE CREAM LLC, 701 Boston Neck Road, North Kingstown, RI 02852. Application by Nikolin Luca, 701 Boston Neck Road, North Kingstown, RI 02852; Renewals.
- (CA) E.** A resolution granting a Tourist Accommodation License to EDEN MANOR, 154 Post Road, Wakefield, RI 02879 for 12 spaces, 24 persons. Application by Lloyd Eden, 154 Post Road, Wakefield, RI 02879; Renewal.
- (CA) F.** A resolution granting a Miscellaneous Permit to conduct the 4th annual KIAI 5K Road Race on Sunday, May 5, 2013 at 9:00 a.m. to KARATE INSTRUCTION ASSISTANCE INITIATIVE, INC. (KIAI), P.O. Box 274, Wakefield, RI 02880 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 RIDOT approval. Application by Julie M. Conte, President, KIAI, 110 Cedar Hollow Road, Wakefield, RI 02879; Renewal.

7. PUBLIC HEARINGS

- A.** 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.

Said license is contingent upon the issuance of a Certificate of Good Standing from the Rhode Island Division of Taxation, compliance with all Town ordinances and regulations, the payment of any municipal taxes and user fees in arrears to the Town, and the correction of any fire code violations.

- B.** A Public Hearing for public discussion relative to the need for additional liquor licenses within the community.

8. COMMUNICATIONS

- (CA) A.** Resolutions adopted by the Coventry, Hopkinton and Jamestown Town Councils and Newport City Council in opposition to legislation pending in the General Assembly concerning mandatory binding arbitration (S 0364, H 5340 and H 5389) and contract continuation (S 0365, S 0777 and H 5699) for teachers and other school and municipal employees are received and placed on file. (4/11/2013 Interim, Item B.)
- B.** A resolution proposed for adoption by Council Vice President McEntee and Councilman Donnelly in support of marriage equality legislation (General Assembly Bills S 0038 and H 5015 SubA, *Acts Relating To Domestic Relations – Persons Eligible To Marry*) is received, placed on file and the Town Council further directs _____.
(4/11/2013 Interim, Item J.)

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(CA) C. 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 _____. (*See Attachment A for Boards and Commissions Appointments Report*)

13. NEW BUSINESS

A. A resolution affirming or amending the Town’s Liquor License Rules and Regulations, Section I. The number of licenses for each class shall be authorized as indicated below:

<u>Class</u>	<u>Number</u>
A – Retail	4 (maximum)
B – Victualler	25
B – Tavern	2
B – Limited	4
B – Hotel	1
B – M	0
C	0
D – Club Full Privilege	2
D – Club Limited	0
F	Five per year per organization
F-1	Five per year per organization
T	1

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- (CA) B.** A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$339.02, as shown on Tax Abatement Request No. 490.
- C.** A resolution authorizing an award of bid to Marra Meal Services, P.O. Box 69, East Greenwich, RI 02818 for Adult Day Center catering services in accordance with all bid specifications and at the unit prices bid, in an amount not to exceed \$19,050 including a \$1,500 contingency, for a one year term commencing May 1, 2013 with the option to extend the contract for an additional two years; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated April 11, 2013 and entitled “Recommendation for bid award – Adult Day Services Catering, Bid Reference #SK0018RD.”
- (CA) D.** 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.”

Boards and Commissions Appointments Report

The following information reflects the status of those Town boards, commissions and committees which have vacancies, members whose terms are expiring and are eligible for reappointment, and/or applications filed for consideration of appointment. The Town Council may make appointments at any meeting.

Affordable Housing Collaborative Committee *(7 members/3 years)*

Two vacancies: one term expires 8/2013, one term expires 8/2015

Applicants: Patrick S. Jones (applied 11/15/2012; interviewed 12/10/2012); Jeanne M. Behie (applied 2/1/2013)

Board of Trustees of the South Kingstown Library *(7 members/3 years)*

Vacancy: one term expires 7/2015

Applicants: Jeffrey J. Mead (applied 8/27/2012; interviewed 9/10/2012); Mary C. MacDonald (applied 3/7/2013; to be interviewed 4/22/2013); Betty J. Cotter (applied 3/13/2013; to be interviewed 4/22/2013)

Building Code and Minimum Housing Code Boards of Appeal *(5 members/5 years)*

James H. Caswell wishes to be reappointed (term expires 6/2013; attended 7 of 8 meetings held)

Conservation Commission *(7 members/3 years)*

Two vacancies: one term expires 9/2013, one term expires 9/2015

Applicant: Lucille M. Dickinson (applied 11/1/2012)

Economic Development Committee *(11 members/3 years)*

Four vacancies: 2 terms expire 3/2014, 2 terms expire 3/2016

Christopher Mazzier wishes to be reappointed (term expired 3/2013; attended 13 of 22 meetings). The term of Dennis Moffitt, Jr. expired 3/2013 (attended 4 of 22 meetings).

Historic District Commission *(7 members/3 years)*

Two vacancies: one term expires 12/2014, one term expires 12/2015

Partnership for Prevention *(7 members/3 years)*

Two member vacancies: terms expire 6/2015; one Ex-Officio Law Enforcement vacancy

Planning Board *(7 members/3 years)*

Ken Kenerson wishes to be reappointed (term expires 5/2013; attended 35 of 36 regular and all 27 work sessions)

Attachment A

Recreation Commission *(5 members/3 years)*

Janice Prochaska wishes to be reappointed (term expires 6/2013; attended 26 of 32 meetings)

Route 138 Reconstruction Project Area Committee *(11 members/2 years)*

Dorald Beasley, Randall Carnahan, Gail Faris, Diane Johnson and Peter Maynard wish to be reappointed (terms expire 5/2013; of 4 meetings, Beasley and Faris attended 4, Johnson attended 3, Maynard attended 2, Carnahan attended none). Nevan Hanumara and Joseph Paolino do not wish to be reappointed.

Trustees of the South Kingstown School Funds *(5 members/5 years)*

Claire Wilcox does not wish to be reappointed (term expires 6/2013); Michael McEntee (term expired 6/2012)

Waterfront Advisory Commission *(7 members/3 years)*

Vacancy: one term expires 6/2015

Ronald J. Smith wishes to be reappointed (term expires June 2013; attended 16 of 17 meetings)

Zoning Board of Review *(5 members/2 alternates/3 years)*

Douglas Bates wishes to be reappointed (term expired 3/2013; attended 29 of 40 meetings)

Applicant: Jeffrey J. Mead (applied 8/27/2012; interviewed 9/10/2012)