

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, SEPTEMBER 9, 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: 9/5/2013

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1. **A. INTERVIEWS – 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 – August 13, 2013**
 - B. **Regular Session – August 13, 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.”

6. LICENSES

- A. A resolution granting a Victualling License to QUICK RICK’S, 58 High Street, Wakefield, RI 02879. Application by Richard B. McCulloch, Quick Rick’s Limited Partnership, 35 Nooseneck Hill Road, Wyoming, RI 02898; New.

7. PUBLIC HEARING

- A. A Public Hearing relative to proposed amendments to the Town Code, as follows:

Chapter 12 Offenses and Miscellaneous Provisions

Section 12-11. Public consumption prohibited; possession by persons under twenty-one years of age prohibited.

It shall be unlawful for any person to consume alcoholic beverages of any kind on a public way or street, beach, public picnic ground, park, amusement area or any other public place or building, unless permitted by law, within the town. It shall be unlawful for any person who has not attained the age of twenty-one (21) years to have in his possession alcoholic beverages of any kind within a building, park, on a public way or street, park, amusement area or any other public place or building within the town.

ADD:

The possession of an open container of alcohol by any person will be considered prima facie evidence that the alcohol is being consumed in violation of this ordinance. The penalty for any violation is a fine of \$50.00.

8. COMMUNICATIONS

- (CA) A. A communication received August 19, 2013 from Jeff Sweenor, Owner and Matt Finlayson, General Manager, Ocean State Waves Baseball Club thanking the Town Council for its support during their inaugural season is received and placed on file. (8/22/2013 Interim, Item C.)

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- B.** A communication dated August 20, 2013 from Elizabeth “Liz” Morris submitting her resignation from the School Committee is received, placed on file, and the Town Council further directs _____. (8/29/2013 Interim, Item I.)
- C.** Communications dated August 22, 2013 from Robert A. Trager, and dated August 29, 2013 from Roland Benjamin seeking consideration for appointment to the School Committee to fill the vacancy created by Elizabeth Morris’ resignation are received, placed on file, and the Town Council further directs _____. (8/29/2013 Interim, Item C.)
- (CA) D.** A communication dated August 29, 2013 from Steven Pinch, Deputy Chief, Union Fire District inviting Council members to the annual Firefighter’s Memorial Ceremony and Parade on Sunday, September 22, 2013 is received and placed on file. (9/5/2013 Miscellaneous, Item II B.)
- (CA) E.** A communication dated September 3, 2013 from Maureen Cotter, Chair, South Kingstown School Committee advising of the public availability of their meeting information in electronic (paperless) format is received and placed on file. (9/5/2013 Miscellaneous, Item II E.)
- F.** A communication dated September 3, 2013 from State Representative Teresa Tanzi on behalf of the Healthy Places by Design Walking and Biking Group concerning issues related to the Comfort Station, High Street and the South County Commons Connector Path is received, placed on file and the Town Council further directs _____. (9/5/2013 Miscellaneous, Item II I.)
- (CA) G.** 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

- (CA) A. A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$7,349.34, as shown on Tax Abatement Request No. 495.
- B. A resolution authorizing an award of bid to HK&S Construction Holding Corporation, 51 America’s Cup Avenue, Newport, RI 02840 for the Matunuck Beach Road Protection Improvement Project, subject to approval by the RI Department of Transportation, in an amount not to exceed \$1,198,534, including a \$200,000 contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated September 3, 2013 and entitled “Bid Recommendation – Matunuck Beach Road Protection Improvement Project – Bid Reference Number: SK0006PS.”
- C. A resolution authorizing an award of contract to Pioneer Consulting Group, Inc., P.O. Box 382, Woodbury, CT 06798 for consulting engineering and design services for a potable water and wastewater rates study in an amount not to exceed \$22,000, including a \$3,000 contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated September 3, 2013 and entitled “Water Rate Study Consulting Services.”
- D. A resolution authorizing an award of bid to All Phase Restoration, LLC, 1225 Douglas Pike, Smithfield, RI 02917 for the Town Hall roof repair project in accordance with the bid specifications and in an amount not to exceed \$23,475; and as further described in a memorandum from the Building Official to the Town Manager dated September 5, 2013 and entitled “Town Hall Roof Repairs.”

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- (CA) E.** 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 year term)

Vacancies: two terms expire August 2016 (John Virgilio resigned July 2011; Jean Johnson did not wish to be reappointed)

Applicants: Patrick S. Jones (applied 11/15/2012; interviewed 12/10/2012); Kenneth John Burke (applied 8/5/2013; to be interviewed 9/9/2013)

Reappointment for term expired August 2013: John Taylor Ellis does not wish to be reappointed.

Board of Trustees of the South Kingstown Library (7 members/3 year term)

No vacancies

Applicant: Betty J. Cotter (applied 3/13/2013; interviewed 4/22/2013)

Conservation Commission (7 members/3 year term)

Two vacancies: one term expires September 2013, one term expires September 2015 (Paul Johnson did not wish to be reappointed; Jeanne Wettlaufer resigned Feb. 2013)

Applicants: Lucille M. Dickinson (applied 11/1/2012; did not attend interview 7/8/2013); Andrew Martinez (applied 7/26/2013); Timothy A. Ulmschneider (applied 7/29/2013); Jennifer A. James (applied 8/9/2013)

Reappointments for terms expiring September 2013: Dorian Boardman and Peter Duhamel wish to be reappointed. It is reported that Ms. Boardman attended 26 and Mr. Duhamel attended 25 of 29 meetings held during the current term.

Economic Development Committee (11 members/3 year term)

Five vacancies: 2 terms expire March 2014, 3 terms expire March 2016 (Alexander Mohr resigned October 2008; Teresa Tanzi resigned December 2010; Deedra Durocher and Robert Kermes resigned December 2011; Dennis Moffitt was not reappointed)

Applicants: Roland J. Fiore (applied 8/2/2013; to be interviewed 9/9/2013); Kenneth John Burke (applied 8/5/2013; to be interviewed 9/9/2013)

Historic District Commission (7 members/3 year term)

Three vacancies: one term expires December 2013, one term expires December 2014, one term expires December 2015 (William Sheffield deceased June 2013; Eric Creamer resigned January 2012; Lois Hamblet did not wish to be reappointed)

Applicant: Karen M. daSilva (applied 8/6/2013)

Attachment A

Partnership for Prevention (7 members/3 year term)

One member vacancy: term expires June 2015; one Ex-Officio Law Enforcement vacancy (Captain Allen resigned); two Ex-Officio student vacancies
Reappointment for term expired June 2013: Dr. Celeste Corcoran wishes to be reappointed.

Planning Board (7 members/3 year term)

No vacancies
Applicant: Frank H. Heppner (applied 5/10/2013)

Recreation Commission (5 members/3 year term)

No vacancies
Applicant: Andrew Martinez (applied 7/26/2013)

Route 138 Reconstruction Project Area Committee (11 members/2 year term)

Three vacancies: terms expire May 2015 (William Sheffield deceased June 2013; Nevan Hanumara and Joseph Paolino did not wish to be reappointed)

School Committee (7 members/4 year term)

Vacancy: one term expires November 2014 (Elizabeth Morris resigned August 2013)
Letters of interest submitted by Robert A. Trager and Roland Benjamin

Trustees of the South Kingstown School Funds (5 members/5 year term)

Vacancy: one term expires June 2018 (Claire Wilcox moved out of state)

Waterfront Advisory Commission (7 members/3 year term)

Vacancy: one term expires June 2016 (Anne E. Heffron did not wish to be reappointed)
Applicants: Timothy A. Ulmschneider (applied 7/29/2013); Timothy P. O'Neill (applied 8/2/2013)