

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, MAY 11, 2015

NOTE: Individuals requesting interpreter services for the deaf or hard of hearing must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 5/7/2015

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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 Sessions – April 27 and May 1, 2015**

- B. **Regular Session – April 27, 2015**

- 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 2014 through 2016: 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 Miscellaneous Permit to conduct the bicycle race portion of the “Race The State” event in South Kingstown on Sunday, August 9, 2015 at 9 AM to MANUKA SPORTS EVENT MANAGEMENT, LLC, 23 Johnnycake Hill, Middletown, RI 02842 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 for the event in the amounts specified by the Risk Manager, approval by the RI Department of Transportation, and approval by the Town’s Traffic and Transportation Review Committee. Proceeds to benefit Special Olympics RI. Application by Julianna Barbieri, Managing Partner, 23 Johnnycake Hill, Middletown, RI 02842; New.
- B.** A resolution granting a Miscellaneous Permit to conduct a portion of the 24th Annual FirmMan Triathlon event in South Kingstown on Sunday, September 13, 2015 at 7 AM to Fiske Independent Race Management (F.I.R.M.), 19 Deer Run, Charlton, MA 01507 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 for the event in the amounts specified by the Risk Manager, approval by the RI Department of Transportation, and approval by the Town’s Traffic and Transportation Review Committee. Proceeds to benefit Narragansett Parks and Recreation. Application by Wendy Fiske Truhanovitch, 19 Deer Run, Charlton, MA 01507; New.
- (CA) C.** A resolution granting Victualling Licenses to the following; Renewals:
- INTERNATIONAL POCKET, 99 Fortin Road, Kingston, RI 02881 subject to approval by the Fire Chief and Communications Superintendent. Application by Bahij Boutros, 62 Waites Corner Road, West Kingston, RI 02892.
- INTERNATIONAL SLICE PIZZA & WINGS, 99 Fortin Road, Kingston, RI 02881 subject to approval by the Fire Chief and Communications Superintendent. Application by Bahij Boutros, 62 Waites Corner Road, West Kingston, RI 02892.

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- (CA) D. A resolution granting a Holiday Sales and two Miscellaneous Peddler Licenses to LUCAS COFFEE & ICE CREAM, LLC, 701 Boston Neck Road, North Kingstown, RI 02852. Application by Nikolin Lucaj, 701 Boston Neck Road, North Kingstown, RI 02852; Renewals.
- (CA) E. A resolution granting a Holiday Sales License to VERDIGRIS ANTIQUES, 355 Main Street, Wakefield, RI 02879 subject to approval by the Fire Chief and Communications Superintendent. Application by Robert Block, P.O. Box 26, Hope Valley, RI 02832; Renewal.

7. PUBLIC INFORMATIONAL PRESENTATION

- A. A public informational presentation by the RI Department of Transportation regarding their proposed path alignment of the URI/South County Bike Path Connector Project.

8. COMMUNICATIONS

- (CA) A. Resolutions adopted April 20, 2015 by the Narragansett Town Council in support of House Bill H 5000 *An Act Relating to Taxation – Personal Income Tax* and its companion Senate Bill, and in opposition to House Bill H 5847 *An Act Relating to Waters and Navigation – Harbors and Harbor Lines* and its companion Senate Bill are received and placed on file. (5/7/2015 Miscellaneous, Item II B.)
- (CA) B. Resolutions adopted April 20, 2015 by the Middletown Town Council in opposition to House Bills H 5044 and H 5713 and Senate Bill S 0559 *Acts Relating To Taxation* that would exempt certain residential property developments from taxation; in opposition to House Bill H 5847 *An Act Relating to Waters and Navigation – Harbors and Harbor Lines*; and in opposition to the Governor’s proposed new statewide property surtax on non-owner occupied homes valued over \$1 million are received and placed on file. (4/30/2015 Interim, Item I.)
- C. A resolution adopted April 20, 2015 by the Middletown Town Council in opposition to House Bill H 5777 and Senate Bill S 0510 *Acts Relating to Food and Drugs – Taxation and Regulation of Marijuana* is received, placed on file, and the Town Council further directs _____.
(4/30/2015 Interim, Item I.)

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- D. A communication dated April 28, 2015 from Donald Cobb, President, Kingston Fire District Board of Wardens, concerning safety issues related to limited road access to certain neighborhoods is received, placed on file, and the Town Council further directs _____. (5/7/2015 Miscellaneous, Item II E.)
- (CA) E. 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 authorizing an award of bid to Third Millennium Communications, 29 Nate Whipple Highway, Cumberland, RI 02864 for the installation of the Data Network Cabling project at the Public Safety Complex in an amount not to exceed \$14,574, including a \$1,000 contingency; and as further described in a memorandum from the Director of Technology to the Town Manager dated April 23, 2015 and entitled “Bid Recommendation – Data Network Cabling Installation.”

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- B.** A resolution authorizing the amendment of an award of bid originally granted on March 23, 2015 for playground structure repair at Tuckertown Park and the Village Green playgrounds to identify the purchase of parts from Gametime, 150 Playcore Drive, Fort Payne, AL, 35967 and the installation of those parts by their subcontractor, Marturano Recreation Company, P.O. Box 106, Spring Lake, NJ 07762 in accordance with all specifications, in the amount of \$73,840 including a contingency of \$1,500; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated April 27, 2015 and entitled “Amendment Request to Recommendation – Playground Structure Repair Parts and Services.”
- (CA) C.** A resolution granting the joint petition of National Grid and Verizon New England for the use of the public ways named for the purposes stated in said petition, and that the work be done subject to the supervision of the Director of Public Services, as follows:
- To install a new utility pole labeled #7-2 on Winter Street as described in Petition No. 18202862, conditioned upon the removal of all existing double poles along the entire length of Winter Street prior to new pole(s) placement; and any new double pole created as part of this request be removed within sixty (60) calendar days of new pole(s) placement, and subject to notification to the Town for municipal utility mark-out prior to setting the poles. Said petition is further described in a memorandum from the Public Services Director to the Town Manager dated May 1, 2015 and entitled “National Grid Pole Setting Request – Winter Street.”
- D.** A resolution authorizing the amendment and extension of an award of contract to CDM Smith Inc., formerly known as Camp, Dresser and McKee, Inc., 75 State Street, Suite 701, Boston, MA 02109 for WebGIS hosting and support services through December 2016 in an amount not to exceed \$13,600; and as further described in a memorandum from the GIS Administrator and the Information Technology Director to the Town Manager dated April 27, 2015 and entitled “CDM Smith Web Hosting Contract Renewal.”

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- (CA) E.** A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to an application for transfer of 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 TAVERN LIQUOR LICENSE

Transfer of a Class B Tavern Liquor License from BISTRO BY THE SEA, LLC, 364 Card's Pond Road, Wakefield, RI 02879 by William J. Hanney, Manager to PAMFILIO'S, INC. d/b/a BISTRO BY THE SEA, 364 Card's Pond Road, Wakefield, RI 02879 by Richard Paola, President for the first floor restaurant, gazebo for intermission, tents on tennis court and 32' x 50' patio in accordance with Special Use Permits granted by the Zoning Board of Review on August 15, 2007 and March 17, 2010; and as further defined in a site plan on file in the Town Clerk's Office.

- F.** A resolution authorizing an award of bid to JCI Jones Chemicals, Inc., 40 Railroad Avenue, Merrimack, NH 03054 for sodium bisulfite at the unit bid price of \$1.46 per gallon; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 4, 2015 and entitled "Bid Recommendation – Wastewater Chemicals."
- G.** A resolution authorizing an award of bid to Univar USA Inc., 175 Terminal Road, Providence, RI 02905 for sodium hypochlorite at the unit bid price of \$0.7245 per gallon; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 4, 2015 and entitled "Bid Recommendation – Wastewater Chemicals."
- H.** A resolution authorizing an award of bid to International Dioxide, Inc., 40 Whitecap Drive, North Kingstown, RI 02852 for sodium chlorite at the unit bid price of \$8.06 per gallon; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 4, 2015 and entitled "Bid Recommendation – Wastewater Chemicals."
- I.** A resolution authorizing an award of bid to Waste Management of New England, 26 Patriot Place, Suite 300, Foxboro, MA 02035-1375 for the Regular Refuse and Recycling Package at the unit costs per pickup bid for the period July 1, 2015 through June 30, 2016; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 6, 2015 and entitled "Bid Recommendation – Refuse Collection Contract Extension."

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- J.** A resolution authorizing an award of bid to Waste Management of New England, 26 Patriot Place, Suite 300, Foxboro, MA 02035-1375 for the Sludge Transportation Package at the unit cost of \$175 per round trip for the period July 1, 2015 through June 30, 2016; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 6, 2015 and entitled “Bid Recommendation – Refuse Collection Contract Extension.”
- K.** A resolution authorizing an award of bid to Ruggieri Brothers, Inc., 1191 Pontiac Avenue, Cranston, RI 02920 to furnish and install a new broadloom carpet and all appurtenances to complete the project at the Public Services Office Building in an amount not to exceed \$10,000, including a \$1,435 contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated May 5, 2015 and entitled “Bid Recommendation – Public Services Building Floor Carpet System.”
- L.** A resolution authorizing the extension of an award of bid originally granted on May 14, 2012 to Amerigas Propane Inc., 460 North Gulph Road, King of Prussia, PA 19406 for liquid propane at current prices through August 31, 2015, according to the terms and conditions of the State of RI Master Price Agreement (MPA 166) bid specifications; and as further described in a memorandum from the Financial Controller to the Town Manager dated May 5, 2015 and entitled “Extension of Contract – Gas, Liquid and Propane.”
- (CA) M.** A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to an application for amendments to the Zoning Ordinance, Appendix B. Parcels Subject to Special Conditions of Previous Zoning Amendments for property located at 2625A Commodore Perry Highway and designated as Plat 80-2, lot 21, approximately 72,309 sq. ft. or 1.66 acres. Application by James V. Aukerman, President, Resources Holding Society, 60 South County Commons Way, Suite G4, Wakefield, RI 02879.

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- (CA) N.** 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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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)*

Two vacancies: terms expire August 2016 (John Taylor Ellis and Jean Johnson did not wish to be reappointed)

Building Code/ Minimum Housing Code Boards of Appeal *(5 members/5 year term)*

Vacancy: term expires June 2019 (Stephen Garnett did not wish to be reappointed)

Reappointment for a term expiring June 2015: Michael Joyce wishes to be reappointed. It is reported that Mr. Joyce has attended all 13 meetings held during the current term (attendance as of 4/15/2015).

Canvassing Authority *(3 members/6 year term)*

Reappointment for a term expired March 2015: Helen Rose DiSanto wishes to be reappointed.

Economic Development Committee *(11 members/3 year term)*

Vacancy: term expires March 2018 (Jerome Bryers does not wish to be reappointed)

Historic District Commission *(7 members/3 year term)*

Vacancy: term expires December 2015 (Eric Creamer resigned)

Partnership for Prevention *(7 members/3 year term)*

Three member vacancies: 1 term expires June 2015, 2 terms expire June 2017 (Marie Waldeck moved; Betty Murphy did not wish to be reappointed.); one Ex-Officio Town Council vacancy

Applicant: Erin Murray Pierce (applied 2/24/2015; interviewed to be rescheduled)

Reappointment for a term expiring June 2015: Jon Kimpton wishes to be reappointed. It is reported that Mr. Kimpton attended 7 of 13 meetings held during his current term.

Attachment A

Planning Board *(7 members/3 year term)*

Applicants: Perry C. Howard (applied 9/16/2014; interviewed 12/8/2014); Joseph R. Roumelis (applied 10/7/2014; interviewed 1/12/2015); Marie Theriault (applied 12/5/2014; interviewed 2/9/2015); Frank Steven DiMasi (applied 12/11/2014; interviewed 2/9/2015); Nancy Rowe Burroughs (applied 12/18/2014; interviewed 2/9/2015); Jude M. Nuzum (applied 2/12/2015)

Reappointments for terms expiring May 2015: Jean Riendeau and Pamela Rubinoff wish to be reappointed. It is reported that Mr. Riendeau attended 32 of 36 regular meetings, 16 of 21 work sessions and 10 of 12 related meetings; and Ms. Rubinoff attended 10 of 11 regular meetings and each of the 9 work sessions held during their respective terms.

Recreation Commission *(5 members/3 year term)*

Reappointments for terms expiring June 2015: Joanne Blessing and William Litvin wish to be reappointed. It is reported that Ms. Blessing has attended 27 of 34 meetings held during her current term; Mr. Litvin has attended 26 of 31 meetings held since his appointment.

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

One vacancy: term expires May 2015 (Joseph Paolino did not wish to be reappointed)

Applicant: William M. Rosen (applied 4/6/2015)

Reappointments for terms expiring May 2015: Susan Axelrod; Dorald Beasley, Gail Faris, Diane Johnson, William Litvin and Peter Maynard wish to be reappointed. It is reported that each member attended the only meeting held during the current term.

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

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

Reappointments for terms expiring June 2015: Carmine Paolino; H. Milton Read does not wish to be reappointed.

Waterfront Advisory Commission *(7 members/3 year term)*

Applicant: James P. Verinis (applied 9/9/2014)

Reappointments for terms expiring June 2015: Bruce Laramée and Leo Murphy; Mr. Murphy wishes to be reappointed. It is reported that Mr. Laramée has attended 16 of 18 meetings held since his appointment; Mr. Murphy has attended 18 of 21 meetings held during the current term.