

**TOWN OF CHARLESTOWN
PUBLIC NOTICE
MONTHLY TOWN COUNCIL MEETING – October 7, 2013 at 7:00 p.m.
Charlestown Town Hall, 4540 South County Trail, Charlestown, RI**

The regular monthly meeting of the Charlestown Town Council will be held on October 7, 2013 at 7:00 p.m. at the Charlestown Town Hall, 4540 South County Trail, Charlestown, RI. The proposed agenda is as follows:

1. CALL TO ORDER, Moment of Silence, Pledge of Allegiance

2. ROLL CALL

Motion to move items 15b, 17c, 8a, 15a, 12, 8b, 9a, 9b, and 11b to be heard next on the agenda

15. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

b. Commendation for Joseph Warner on his certification as Flood Plain Manager by the Association of State Floodplain Managers

17. APPOINTMENTS AND RESIGNATIONS

c. Acceptance, with regret, of the resignation of Ashley V. Hahn as the Town Planner, effective November 4, 2013

8. NEW BUSINESS

a. Presentation of Historic Cross' Mills: A Self-Guided Tour by the Charlestown Historical Society

15. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

a. Proclamation of November, 2013 as Pancreatic Cancer Awareness Month

12. CONSENT AGENDA *All items marked with "CA" are to be considered consent agenda*

Motion to accept, approve and place on file the following as the consent agenda: 11a, 11c, 13a, 13b, 17b, 18a, and 18b

11. LICENSES AND PERMITS

"CA" a. Approval of the following events at Ninigret Park with a recommendation from the Parks and Recreation Commission, subject to review of contracts by the Town Solicitor, receipt of all applicable paperwork and insurance and that all event details are satisfactorily met by the Parks and Recreation Director:

Event: Fraternal Order of Police 5K

Park Reservation: October 27, 2013 (9:00 am – 12:00 pm)

Camping: No

Insurance: Yes, Certificate Number 20130923199133 from Philadelphia Indemnity Ins. Co. General Aggregate \$3,000,000. Each Occurrence \$1,000,000. Damage to rented premises \$1,000,000. Personal and Adverse injury \$100,000. Products-Comp/Op AGG \$3,000,000.

Fee: Waived Fee

"CA" c. Approval of the following events at Charlestown Town Beach with a recommendation from the Parks and Recreation Commission, subject to review of contracts by the Town Solicitor, receipt of all applicable paperwork and insurance and that all event details are satisfactorily met by the Parks and Recreation Director:

Event: RICAN Polar Plunge

Park Reservation: January 1, 2014 (10:30am – 2:00pm)

Camping: No

Insurance: Each Occurrence \$1,000,000. Damage to rented premises \$100,000. Medical Expenses \$15,000. Personal and Adv Injury \$1,000,000. General Aggregate \$2,000,000. E.L. Each Incident \$100,000. E.L. Disease – Each Employee \$100,000. E.L. Disease – Policy Limit \$500,000.

Fee: Waived Fee

13. MINUTES AND REPORTS

"CA" a. Town Council Minutes: August 22 (Executive and Special); September 4; September 9 (Executive and Regular)

"CA" b. Reports: Building Official – September 2013; Police Chief – September 2013; Public Works Director – August 2013, September 2013; Town Clerk – September 2013; Treasurer – August 2013, September 2013

17. APPOINTMENTS AND RESIGNATIONS

"CA" b. Acceptance of the resignation of Cecelia R. O'Brien from the Affordable Housing Commission with regret

18. FISCAL MATTERS

"CA" a. Request from the Tax Assessor for abatements in the amount of \$6,128.59

"CA" b. Award of the bid for the purchase of a new 2013-14 model *Mack, Peterbilt, or International* diesel truck with a dump body, sander controls and power effects, snow plow and frame to Coastal International Trucks, LLC in the amount of \$131,402.00, as budgeted in the Capital Budget (990-9964) and authorization for the Town Treasurer to secure the most favorable finance rate for the Town

8. NEW BUSINESS

b. Discussion and potential action regarding how to obtain input to ordinances prior to Town Council Public Hearings

9. PUBLIC HEARINGS

- a. Continuation of the public hearing and potential action regarding #359 amending Chapter 218-74 Zoning, Landscaping
- b. Continuation of the public hearing and potential action regarding #360 amending Chapters 218-56 through 218-61 - Zoning, Parking

11. LICENSES AND PERMITS

- b. Approval of the following events at Ninigret Park with a recommendation from the Parks and Recreation Commission, subject to review of contracts by the Town Solicitor, receipt of all applicable paperwork and insurance and that all event details are satisfactorily met by the Parks and Recreation Director:

Event: Creative Entertainment, Inc.

Park Reservation: Aug 15-17, 2014 and Aug 22-24, 2014; Alt. Dates: July 18-20, 2014 and July 25-27, 2014

Camping: Yes

Insurance: The Promoter will maintain at its own cost and expense at least Two Million Dollars (\$2,000,000.00) worth of liability insurance for the Period of Occupancy protecting it from claims. The Promoter will maintain at its own cost and expense Two Million Dollars (\$2,000,000.00) worth of liquor liability insurance per *each occurrence* for the Period of Occupancy protecting it from claims by third parties as set forth in this paragraph, naming the Town as additional insured. There is also \$5,000,000 for pyrotechnics.

Fee: \$9,000 per weekend \$18,000 total

3. PUBLIC COMMENT for items not on the Agenda

4. COUNCIL COMMENTS

5. PERSONS WISHING TO BE HEARD

- a. Deb Carney – Legal Bills

6. ADMINISTRATOR, SOLICITOR, COMMISSION REPORTS

- a. Town Administrator
- b. Town Solicitor
- c. Commission Reports

7. UNFINISHED BUSINESS - None

8. NEW BUSINESS

- c. Discussion and potential action regarding the creation of an Ad Hoc Committee (and announcement of vacancies, if the Committee is formed) to prepare a management plan for AP 17, Lot 186 (“Whalerock”), consisting of one member of the Conservation Commission, one member of the Planning Commission, one member of the Parks and Recreation Commission, two members from the community at large, two members of the Town Council, the Town Administrator and/or his appointee, and the conservation groups’ appointees interested in a conservation easement for passive recreation and designing trails for “Whalerock”, to be returned to the Town Council with their recommendations in February 2014

- d. Discussion and potential action regarding the deliberation and finalization of a Legislative Priority list for Washington County Regional Planning Council for our Legislators for the Legislative Session beginning January 2014

10. COUNCIL SITTING AS BEVERAGE LICENSING BOARD

- a. Discussion and potential action regarding the advertisement for public hearing on November 12, 2013 at 7:00 pm, the following applications for beverage license:

CHARLESTOWN PACKAGE STORE, INC. d/b/a “Charlestown Package Store”, to apply to premises located at 4625 Old Post Road – Class A. Designated premises: building only; daily November 1 through May 31 from 7:00 am to 10:00 pm, June 1 through October 31 from 7:00 am to 11:00 pm, and until 11:00 pm on eve of legal holiday or on Saturday eve where a legal holiday falls on Monday

SERRA, RICHARD C. d/b/a “Rippy’s Liquor & Marketplace”, to apply to premises located at 4158 South County Trail– Class A. Designated premises: building only; daily from 7:00 am to 10:00 pm

BIRDMAR ENTERPRIZES, INC. d/b/a “The Cove”, to apply to premises located at 3963 Old Post Road – Class BV Full. Designated premises: restaurant and deck only; daily from 11:30 am to 1:00 am

CHARLESTOWN WILLOWS d/b/a “Foster Pier Restaurant”, to apply to premises located at 5310 Old Post Road– Class BV Full. Designated premises: restaurant and deck, special wedding area (adjacent to water), clambake house, adjacent to cottage #130, dockside building, and enclosed pool area; daily from 7:30 am to 11:00 pm

MGM GROUP, INC. d/b/a/ “Meadow Brook Inn”, to apply to premises located at 168 Carolina Back Road– Class BV Full. Designated premises: restaurant and formal garden area only; daily from 10:00 am to 12:00 am

NORDIC LODGE, INC. d/b/a/ “Nordic Lodge”, to apply to premises located at 178 East Pasquisett Trail – Class BV Full. Designated premises: restaurant and area between rear of restaurant and pond; Friday from 4:00 pm to 11:00 pm, Saturday from 11:00 am to 11:00 pm, and Sunday from 12:00 pm to 9:00 pm

OLD WILCOX TAVERN, INC. d/b/a/ “Wilcox Tavern”, to apply to premises located at 5153 Old Post Road— Class BV Full. Designated premises: restaurant and patio area only; daily from 5:00 pm to 10:00 pm

MARR, CRAIG T. d/b/a “The Breachway Grill LLC”, to apply to premises located at 1 Charlestown Beach Road – Class BV Full. Designated premises: Indoor Restaurant Space and Outdoor Patio Space only; daily from 11:00 am to 1:00 am

C & E PIZZA, INC. d/b/a “Famous Pizza”, to apply to premises located at 3986 Old Post Road – Class BV Limited. Designated premises: restaurant only; daily from 11:00 am to 9:00 pm

FIGARSKY, COURTNEY d/b/a “Gentleman Farmer Diner”, to apply to premises located at 4349 South County Trail – Class BV Limited. Designated premises: restaurant and deck/patio only; daily from 6:00 am to 9:00 pm

G.J.S.I., INC, d/b/a G.J.S.I. Tavern and Inn to apply to premises located at 4115 Old Post Road – Class BV Tavern. Designated premises: patio area abutting tavern enclosed by tarmac and stone wall, snack bar and patio area in front of the snack bar/house and lawn abutting the Inn towards the northeast, with no service easterly from tarmac and rear of snack bar to US Route 1; daily from 6:00 am to 1:00 am

DOWNEY WEAVER POST BUILDING ASSOCIATION d/b/a “Downey Weaver Post No. 34, American Legion”, to apply to premises located at 20 Whipple Drive – Class D Club. Designated premises: club building, picnic area and horseshoe pit area only; daily from 9:00 am to 1:00 am

CHARLESTOWN RATHSKELLER TAVERN, INC. d/b/a “Charlestown Rathskeller Tavern” to apply to premises located at 489A Old Coach Road - Class BV Full. Designated premises: The main restaurant building and patio adjacent to the tavern entrance on the east side, including the small deck, bocce court and horseshoe court areas; from the southeast corner of the restaurant, to include the spring house, the sauna area and fire pit; the grounds located southwest of the main entrance (west side) to approximately two hundred (200’) feet south of the employee parking lot; the open porch and deck on the west side of the restaurant; and from the north side of the restaurant up to the stone wall located approximately ten (10) feet from Old Coach Road. Hours of operation: Monday through Friday, 11:00 a.m. to 1:00 a.m. and Saturdays, Sundays and holidays 7:00 am to 1:00 am

14. ANNOUNCEMENTS

a. Board and Commission vacancies

16. COMMUNICATIONS AND PETITIONS - None

17. APPOINTMENTS AND RESIGNATIONS

a. Discussion and potential action regarding appointments to the Zoning Board of Review (one full member, term to expire in July of 2018, and three Alternates, terms to expire in July of 2014), with a recommendation from Michael Rzewuski, Chairman. Applications received from William F. Meyer, David B. Provancha, Amanda J. Magee and Michael James Chambers

19. LEGAL MATTERS - None

20. ADJOURNMENT

The public is welcome to any meeting of the Town Council. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please call 711-364-1210 at least three (3) business days prior to the meeting.

Advertised in the Westerly Sun – October 5, 2013

Posted at SOS, ClerkBase and at Town Hall – October 3, 2013