

WORK SESSION

MARCH 8, 2010

At a WORK SESSION of the Town Council of the Town of South Kingstown, County of Washington, in the State of Rhode Island held at the Town Hall, in and for said Town on the 8th day of March 2010 at 6:30 PM.

PRESENT: Kathleen A. Fogarty, President
Mary S. Eddy, Vice President
Carol Hagan McEntee
James W. O'Neill
Ella M. Whaley

1. A. INTERVIEW

The Town Council interviews Andrew Shea relative to his interest in serving on the Economic Development Committee.

2. B. WORK SESSION

Discussion ensues relative to changing the dates of the public hearing on the municipal and school budgets from April 5th and 6th to April 14th and 15th.

Discussion ensues relative to scheduling a meeting with the Legislative Delegation for either March 29, 2010 or April 5, 2010.

Discussion ensues relative to Public Hearing Item 7A for presentation of the final "draft" report, "South Kingstown Village Study, Villages of Wakefield and Peace Dale" by the Horsley Witten Group.

Discussion ensues relative to Public Hearing Item 7B in regard to a proposed amendment to the Town Code, Chapter 2 Administration, Article III. Boards and Commissions, Section 2-40. Economic Development Committee. Said amendment would increase the membership from 9 members to 11 members.

Discussion ensues relative to Communication Item 8D adopted February 10, 2010 by the Bristol Town Council in support of House Bill 2010 – H 7014, An Act Relating to Waters and Navigation – Regulation of Boats relative to bridge safety.

Discussion ensues relative to Communication Item 8E received March 3, 2010 from Robert Alan Silverstein, StopDatingViolence.org thanking the Council for its proclamation

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recognizing February as Dating Violence Awareness & Prevention Month, and requesting a proclamation recognizing April as Sexual Assault Awareness Month.

Discussion ensues relative to New Business Item 13B authorizing the Town Manager to enter into a lease for a five (5) year period between the Town of South Kingstown and David W. Carpenter d/b/a Carpenter's Farm, 520 Matunuck Beach Road, Wakefield, RI 02879 to farm an approximate 21.9 acre parcel of property for an annual fee of \$1,584.

Discussion ensues relative to New Business Item 13C authorizing the Town Manager to execute a five (5) year lease agreement, with the option to renew five (5) subsequent five (5) year renewals, for cellular antenna placement on the Town's Victoria Lane water tank and Mautucket Road water tank.

Vincent Murray, Director of Planning introduces Nathan Kelley of Horsley Witten Group who will be giving the presentation on the final "draft" report, "South Kingstown Village Study, Villages of Wakefield and Peace Dale" by the Horsley Witten Group.

Discussion ensues relative to the State Aid to Education Formula recommended by Education Commissioner Gist and how it will impact the Town of South Kingstown School Department.

Convened to Regular Session.

Dale S. Holberton, CMC
Town Clerk

REGULAR SESSION

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At a REGULAR SESSION of the Town Council of the Town of South Kingstown, County of Washington, in the State of Rhode Island, held at the Town Hall, in and for said Town on the 8th day of March 2010 at 7:30 PM.

PRESENT: Kathleen A. Fogarty, President
Mary S. Eddy, Vice President
Carol Hagan McEntee
James W. O'Neill
Ella M. Whaley

1. C. REGULAR SESSION

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the flag is given.

3. ROLL CALL

Roll Call is taken and all members are present.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A. Work Session: UNANIMOUSLY VOTED: that the minutes of the Work Session held on February 22, 2010 are accepted, approved and placed on file.

B. Regular Session: UNANIMOUSLY VOTED: that the minutes of the Regular Session held on February 22, 2010 are accepted, approved and placed on file.

5. CONSENT AGENDA

UNANIMOUSLY VOTED: to approve the Consent Agenda as indicated by (CA) on same.

(CA) 6B. UNANIMOUSLY VOTED: to grant Victualling Licenses to the following;
Renewals:

A & A SANDWICH SHOPS INC. d/b/a SUBWAY AT URI, 99 Fortin Road, Kingston, RI 02881 subject to approval by the Kingston Fire Chief. Application by Saber Ahmadi, 45 Woodstock Lane, Wakefield, RI 02879. License No. 12412.

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SEDRA CAFÉ, 99 Fortin Road, Suite 117, Kingston, RI 02881 subject to approval by the Kingston Fire Chief, RI Department of Health and RI Division of Taxation. Application by Cybill Joia, 46 Hornbeam Drive, Cranston, RI 02921. License No. 12414.

(CA) 6C. UNANIMOUSLY VOTED: to grant Victualling and Holiday Sales Licenses to TAYLOR'S LANDING, 3362 Kingstown Road, West Kingston, RI 02892 subject to approval by the Union Fire Chief. Application by Ken Marot, 3362 Kingstown Road, West Kingston, RI 02892; Renewals. License Nos. 12416, 12417.

(CA) 6D. UNANIMOUSLY VOTED: to grant a Holiday Sales License to CLARK FARMS, INC., 711 Kingstown Road, Wakefield, RI 02879. Application by Richard G. Clark, President, 3205 Post Road, Wakefield, RI 02879; Renewal. License No. 12419.

(CA) 6E. UNANIMOUSLY VOTED: to grant Holiday Sales and Farm Retail Sales Licenses to CLARK FARMS, INC., 2984 Commodore Perry Highway, Wakefield, RI 02879. Application by Richard G. Clark, President, 3205 Post Road, Wakefield, RI 02879; Renewals. License No. 12420, 12421.

(CA) 6F. UNANIMOUSLY VOTED: to grant a Trailer Parks – Mixed Use Facilities License to WORDEN POND FAMILY CAMPGROUND, 416A Worden Pond Road, Wakefield, RI 02879. Application by Mark P. Tucker, President, 416 Worden Pond Road, Wakefield, RI 02879; Renewal. License No. 12422.

(CA) 8A. UNANIMOUSLY VOTED: that communications from Andrew Gilmartin dated February 19, 2010 concerning the availability of the 1992 Comprehensive Community Plan on the Town's website, and dated February 25, 2010 concerning the Comprehensive Community Plan Five-Year Update survey are received and placed on file. (2/25/2010 Interim, Items I. and L.)

(CA) 8B. UNANIMOUSLY VOTED: that a resolution adopted February 22, 2010 by the Cranston City Council requesting General Assembly legislation to ensure safe distances between motor vehicles and bicycles traveling on roads, is received and placed on file. (3/4/2010 Miscellaneous, Item II C.)

(CA) 8C. UNANIMOUSLY VOTED: that a communication dated February 23, 2010 from Jeanne-Marie Napolitano, Mayor, City of Newport inviting Town Council members to participate in their 54th annual Saint Patrick's Day Parade on March 13th is received and placed on file. (3/4/2010 Miscellaneous, Item II B.)

(CA) 8F. UNANIMOUSLY VOTED: that any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b)

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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.”

(CA) 13A. UNANIMOUSLY VOTED: to authorize the Tax Assessor to abate taxes in the total amount of \$1,486.92, as shown on Tax Abatement Request No. 453.

(CA) 13D. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing relative to proposed amendments to the South Kingstown Police Department Rules and Regulations, Standing Order entitled Strip and Body Cavity Searches, Section III. Definitions, Item A. Strip Search.

(CA) 13E. UNANIMOUSLY VOTED: that 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.”

6. LICENSES

A. Mary Roda is present on behalf of the applicant, and it is

UNANIMOUSLY VOTED: to grant a Miscellaneous Permit to conduct the “Peace In Our Backyard” 5K Run and 1Mile Walk on Saturday, March 13, 2010 at 8:30 a.m. to the DOMESTIC VIOLENCE RESOURCE CENTER OF SOUTH COUNTY 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 State Traffic Commission approval. Application by Garrie Borden, Director of Public Relations, 61 Main Street, Wakefield, RI 02879; New. License No. 12411.

7. PUBLIC HEARINGS

A. A Public Informational Hearing is held for presentation of the final “draft” report, “South Kingstown Village Study, Villages of Wakefield and Peace Dale” by the Horsley

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Witten Group. Director of Planning Vincent Murray briefly describes the project which was funded by a \$25,000 grant from the RI Office of Statewide Planning. Members of the Planning Board are in attendance, having participated in the project. Mr. Murray introduces Nathan Kelly, lead consultant who gives a PowerPoint presentation outlining the report and highlighting the major recommendations of the study.

Comments in support of the study are made by Maria Mack, chairman of the Planning Board, and Leslie Chouinard, President of Peace Dale Neighborhood Revitalization, Inc.

State Representative David Caprio offers his assistance as liaison with the Department of Transportation regarding the High Street drainage project.

Jonathan Daly-LaBelle asks whether the potential re-use of the local mills was part of the study, and asks if stimulus funds can be used for the planned Intermodal Parking Lot.

Justin Gallant, owner of Pier Pizza on Main Street expresses appreciation for the Town conducting the study, and for Representative Caprio and members of the Planning Board attending the presentation.

UNANIMOUSLY VOTED: to close the Public Informational Hearing.

UNANIMOUSLY VOTED: to accept the report entitled "South Kingstown Village Study, Villages of Wakefield and Peace Dale, Final Report, February 16, 2010, submitted by: Horsley Witten Group, 370 Ives Street, Providence, RI 02906." The Planning Board is directed to review the various recommendations contained in the report and develop an implementation schedule for said actions as appropriate.

B. Notice having been duly given, a Public Hearing is held relative to a proposed amendment to the Town Code, Chapter 2 Administration, Article III. Boards and Commissions, Section 2-40. Economic Development Committee, as follows:

Chapter 2 Administration

Article III. Boards and Commissions

Sec. 2-40. Economic Development Committee

The Town Council recognizes the need to expand the community's tax base and to encourage the development and retention of skilled employment opportunities for local residents. To promote a stable and diversified local economy, the Town Council may appoint an economic development committee consisting of ~~(9) nine~~ (11) eleven members

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serving three-years terms to serve in an advisory capacity to the planning board and the town council.

The Town Manager reviews the background of this proposed amendment, and discussion ensues.

Leslie Chouinard, President of Peace Dale Neighborhood Revitalization, Inc. comments on the availability of a short video that has been created by a local filmmaker to showcase the economic development going on in Peace Dale Village.

UNANIMOUSLY VOTED: to close the Public Hearing.

UNANIMOUSLY VOTED: to adopt an amendment to the Town Code, Chapter 2 Administration, Article III. Boards and Commissions, Section 2-40. Economic Development Committee, as follows:

Chapter 2
Administration
Article III. Boards and Commissions

Sec. 2-40. Economic Development Committee

The Town Council recognizes the need to expand the community's tax base and to encourage the development and retention of skilled employment opportunities for local residents. To promote a stable and diversified local economy, the Town Council may appoint an economic development committee consisting of ~~(9) nine~~ (11) eleven members serving three-years terms to serve in an advisory capacity to the planning board and the town council.

8. COMMUNICATIONS

D. UNANIMOUSLY VOTED: that a resolution adopted February 10, 2010 by the Bristol Town Council in support of House Bill 2010 – H 7014, An Act Relating to Waters and Navigation – Regulation of Boats relative to bridge safety is received and placed on file. (3/4/2010 Miscellaneous, Item II D.)

E. UNANIMOUSLY VOTED: that a communication received March 3, 2010 from Robert Alan Silverstein, StopDatingViolence.org thanking the Council for its proclamation recognizing February as Dating Violence Awareness & Prevention Month, and requesting a proclamation recognizing April as Sexual Assault Awareness Month is received, placed

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on file, and the Town Council voted to support this request. (3/4/2010 Miscellaneous, Item II J.)

9. COMMENTS FROM INTERESTED CITIZENS

Council President Fogarty invites residents to come forward with comments.

Jonathan Daly-LaBelle questions the tax ramifications for any additions that are proposed to the budget, and inquires about the Town's purchase of the St. Dominic Savio property on Broad Rock Road.

Council Vice President Eddy and the Town Manager respond.

Representative David Caprio comments on the State School Funding Formula proposed by the Commissioner of Education, and the Town's requests for relief from mandates in the State supplemental budget.

10. TOWN MANAGER'S REPORT

The Town Manager notes that the Town Council and School Committee will hold a Joint Budget Work Session on Wednesday, March 10th. The Town Manager's Interim Report dated February 25, 2010 and the Agenda and Miscellaneous Reports dated March 4, 2010 are accepted, approved and placed on file.

11. TOWN SOLICITOR'S REPORT

The Town Solicitor has no report this evening.

12. APPOINTMENTS

A. UNANIMOUSLY VOTED: to reappoint Christopher S. Mazzier and Dennis M. Moffitt, Jr. to the Economic Development Committee for terms to expire March 2013.

UNANIMOUSLY VOTED: to appoint Douglas W. Bates to the Zoning Board of Review as a full member for a term to expire March 2013.

13. NEW BUSINESS

B. UNANIMOUSLY VOTED: to authorize the Town Manager to enter into a lease for a five (5) year period between the Town of South Kingstown and David W. Carpenter d/b/a Carpenter's Farm, 520 Matunuck Beach Road, Wakefield, RI 02879 to farm an

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approximate 21.9 acre parcel of property for an annual fee of \$1,584. Said property is a portion of Assessor's Plat 92-2, Lot 39 and is further identified as Parcel B1 on that plan drawn March 1986, revised October 1987 and recorded in Plan Book 19, Page 13 of the Town's Land Evidence Records. Said lease is further described in a memorandum from Principal Planner Nickerson to the Town Manager dated February 26, 2010 and entitled: "Town Farm Lease."

C. UNANIMOUSLY VOTED: to authorize the Town Manager to execute a five (5) year lease agreement, with the option to renew five (5) subsequent five (5) year renewals, for cellular antenna placement on the Town's Victoria Lane water tank and Mautucket Road water tank, in accordance with terms of lease agreements as approved by the Town Solicitor. This authorization is also conditioned upon site plan review and approval by the Town's Technical Review Committee (TRC), and is further described in a memorandum from the Public Services Director to the Town Manager dated March 2, 2010 and entitled: "Metro PCS Lease Agreement – Victoria Lane and Mautucket Road Water Tanks."

UNANIMOUSLY VOTED: to adjourn at 9:05 PM.

Dale S. Holberton, CMC
Town Clerk