

WORK SESSION

SEPTEMBER 13, 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 13th day of September 2010 at 6:35 PM.

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

1. A. INTERVIEW

The Town Council interviews Peter Duhamel relative to his interest in serving on the Conservation Commission.

1. B. WORK SESSION

Discussion ensues relative to the Town receiving an Intermodal Grant in the amount of \$360,000 for the construction of an Intermodal Comfort Station located along the bike path on Main Street. We have also received a verbal confirmation on a \$200,000 Enhancement Grant and have asked for another \$200,000 from the Bike Path Program which has also been verbally committed to. We will have enough money from the State to do the whole facility. Construction is expected to begin in the spring of 2011. The parking lot may be done this fall.

Discussion ensues relative to the Kingston Book Store, the Scuncio and Farmer properties and Palisades and the environmental assessments required by the Department of Environmental Management which have or may have to be done on those properties prior to redevelopment. A grant application has been filed for an environmental assessment of the Palisades properties.

Discussion ensues relative to Communication Item 7A received August 11, 2010, continued for review from August 16, 2010, and a communication received September 8, 2010 from Councilman James O'Neill requesting adoption of a resolution concerning the RI Economic Development Corporation's high-tech and knowledge based business investment policy.

Discussion ensues relative to Communication Item 7B dated August 19, 2010 requesting support for a resolution adopted September 2, 2010 by the Providence City Council recognizing September as Ovarian Cancer Awareness Month.

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Discussion ensues relative to Communication Item 7C dated August 23, 2010 from James C. Gies submitting his resignation from the Assessment Board of Review effective October 1st.

Discussion ensues relative to Communication Item 7D dated August 22, 2010 from Steven Pinch, Deputy Chief, Union Fire District inviting Council members to attend the Annual Firefighter's Memorial Ceremony and Parade on September 26th.

Discussion ensues relative to Communication Item 7E dated August 23, 2010 from Grady Miller, Town Manager seeking support of a resolution adopted August 16, 2010 by the Narragansett Town Council opposing unfunded State mandates.

Discussion ensues relative to Communication Item 7F dated September 1, 2010 from Linda Mello, Domestic Violence Resource Center of South County requesting a proclamation recognizing October as Domestic Violence Awareness Month.

Discussion ensues relative to Communication Item 7H received September 8, 2010 from Councilman James O'Neill requesting adoption of a resolution concerning pension reform.

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 13th day of September 2010 at 7:30 PM.

PRESENT: Kathleen A. Fogarty, 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 four members are present. Council Vice President Eddy is absent.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A. Work Session: UNANIMOUSLY VOTED: that the minutes of the Work Session held on August 16, 2010 are accepted, approved and placed on file.

B. Regular Sessions: UNANIMOUSLY VOTED: that the minutes of the Regular Sessions held on August 16 and August 18, 2010 are accepted, approved and placed on file.

C. Closed Executive Session: UNANIMOUSLY VOTED: that the minutes of the Closed Executive Session held on August 18, 2010 are accepted, approved and placed on file.

5. CONSENT AGENDA

UNANIMOUSLY VOTED: to approve the Consent Agenda as indicated by (CA) on same, with the exception of New Business Item 12F.

(CA) 7D. UNANIMOUSLY VOTED: that a communication dated August 22, 2010 from Steven Pinch, Deputy Chief, Union Fire District inviting Council members to attend the

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Annual Firefighter's Memorial Ceremony and Parade on September 26th is received and placed on file. (8/26/2010 Interim, Item G.)

(CA) 7F. UNANIMOUSLY VOTED: that a communication dated September 1, 2010 from Linda Mello, Domestic Violence Resource Center of South County requesting a proclamation recognizing October as Domestic Violence Awareness Month is received, placed on file, and the Town Council directs that a copy of the proclamation adopted August 16, 2010 be forwarded to the DVRC. (9/2/2010 Interim, Item G.)

(CA) 7G. UNANIMOUSLY VOTED: that a communication dated August 31, 2010 from Kevin Jackson, South Kingstown Little League Tournament Director thanking the Recreation Department for maintaining the Town's parks and ball fields in great condition is received and placed on file. (9/9/2010 Miscellaneous, Item II B.)

(CA) 7I. 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) 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) 12B. UNANIMOUSLY VOTED: that a claim filed by Bridget E. Feeney, Esquire on behalf of her client, Kathleen Carlson relative to an incident that occurred on or about July 28, 2010 be referred to the Town Solicitor and the Town's insurance carrier.

(CA) 12C. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice 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 Giro's Far East, LLC, 501 High Street, Peace Dale, RI 02879 by Yiu Kwong Yung, Managing Member for the first floor dining room and bar area; and as further defined in a site plan on file in the Town Clerk's Office.

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(CA) 12D. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing for public discussion relative to the need for additional liquor licenses within the community.

(CA) 12E. UNANIMOUSLY VOTED: to grant approval to Extenet Systems, Inc., One Research Drive, Suite 200C, Westborough, MA 01581 to install Distributed Antenna System (DAS) technology on existing telephone poles in the Town of South Kingstown, as detailed in the Development Plan Review approval granted on July 29, 2010 by the Technical Review Committee, incorporating by reference the Committee's findings of fact and conditions of approval; and as further described in a memorandum from the Director of Planning to the Town Manager dated September 3, 2010 and entitled: "Extenet Systems, Inc., Utility Installation in Town and State Rights of Way."

(CA) 12G. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing relative to proposed amendments to the Town Code, Chapter 17 Taxation, as follows:

Chapter 17 Taxation

Article I. In General

Sec. 17-3. Application process for exemptions set out in sections 17-1 and 17-2.

(b) All applications for veterans exemptions shall be filed with the tax assessor at least five (5) days prior to the certification of the tax roll, and applications for blind persons exemptions shall be filed with the tax assessor by January 31 of each year for which the exemption is claimed and shall be made in the form approved by the town council.

(CA) 12H. 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."

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6. LICENSES

A. UNANIMOUSLY VOTED: to grant a Miscellaneous Peddler's License to HOT DIGGITY BIG DOGS.COM, 2590 Kingstown Road, Kingston, RI 02881. Application by Daniel Kibbey, 2590 Kingstown Road, Apt. 26, Kingston, RI 02881; New. License No. 12482.

7. COMMUNICATIONS

A. Discussion ensues, and it is UNANIMOUSLY VOTED: that a communication received August 11, 2010, continued for review from August 16, 2010, and a communication received September 8, 2010 from Councilman James O'Neill requesting adoption of a resolution concerning the RI Economic Development Corporation's high-tech and knowledge based business investment policy is received, placed on file, and the Town Council voted to adopt the resolution as amended. (8/12/2010 Miscellaneous, Item II F. and 9/9/2010 Miscellaneous, Item II I.)

RESOLUTION OF THE SOUTH KINGSTOWN TOWN COUNCIL

Understanding the Rhode Island Economic Development Corporation's process in determining which businesses will receive Loan Guarantees from their Agency.

WHEREAS, the General Assembly and Governor have approved a new state law that authorizes \$125 million be used to support high-tech and "knowledge based" businesses in Rhode Island; and

WHEREAS, the EDC Board has just approved \$75 million (60%) of these monies to loan to 38 Studios LLC, to be financed by the sale of revenue bonds issued by the EDC and a potential financial obligation by the State of Rhode Island; and

WHEREAS, questions that South Kingstown and State taxpayers would have asked with any major loan: why doesn't the EDC have a strong presence on the Board of 38 Studios; did the "due diligence" by the EDC discover "why" the absence of "venture capital" investors from Boston; and why doesn't the State have an equity position; and

WHEREAS, it is well known that there are many "knowledge based" start up businesses born and created in Rhode Island; these businesses need to know the lending process and due diligence by the EDC will be handled in the same expedited manner; and

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WHEREAS, these same incentives to attract out of state businesses to Rhode Island will be used by other states to lure our businesses away; we don't want economic development to be a "zero sum game"; and

WHEREAS, with only \$50 million remaining in this fund, will the difficulty become extreme, or simply impossible, for South Kingstown entrepreneurs and talent from the University of Rhode Island "knowledge based" community, Brown University, etc. to receive lending early in the "product concept life" stage to that of commercial reality.

BE IT RESOLVED, the taxpayers of South Kingstown and Rhode Island need to know there is a fair process, and non-political, in soliciting and encouraging local businesses to contact the EDC. That these businesses and their proposals will receive the same fair treatment and competitive evaluation for loans that will help them flourish in our State.

BE IT FURTHER RESOLVED this request be forwarded to Mr. Keith Stokes, the Executive Director of the RI Economic Development Corporation, and our members in the General Assembly.

B. UNANIMOUSLY VOTED: that a communication dated August 19, 2010 requesting support for a resolution adopted September 2, 2010 by the Providence City Council recognizing September as Ovarian Cancer Awareness Month is received, placed on file, and the Town Council approved the request. (8/26/2010 Interim, Item B.)

C. UNANIMOUSLY VOTED: that a communication dated August 23, 2010 from James C. Gies submitting his resignation from the Assessment Board of Review effective October 1st is received, placed on file, and the Town Council directs that a letter of thanks be sent. (8/26/2010 Interim, Item F.)

E. UNANIMOUSLY VOTED: that a communication dated August 23, 2010 from Grady Miller, Town Manager seeking support of a resolution adopted August 16, 2010 by the Narragansett Town Council opposing unfunded State mandates is received and placed on file. (8/26/2010 Interim, Item H.)

H. Discussion ensues, and it is VOTED: that a communication received September 8, 2010 from Councilman James O'Neill requesting adoption of a resolution concerning pension reform is received and placed on file. (9/9/2010 Miscellaneous, Item II H.)

Councilman O'Neill voted no.

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8. COMMENTS FROM INTERESTED CITIZENS

Council President Fogarty invites residents to come forward with comments.

Robert Trager Sr. is present and comments on the plans to build a mosque at the site of Ground Zero in New York City, and traffic conditions on Succotash Road.

9. TOWN MANAGER'S REPORT

Town Manager Stephen Alfred commends the volunteers and staff who assisted with hurricane preparedness when Hurricane Earle threatened this area. The Town Manager's Interim Reports dated August 19, August 26 and September 2, 2010 and the Agenda and Miscellaneous Reports dated September 9, 2010 are accepted, approved and placed on file.

10. TOWN SOLICITOR'S REPORT

The Town Solicitor has no report this evening.

11. APPOINTMENTS – None

12. NEW BUSINESS

A. UNANIMOUSLY VOTED: to authorize an award of bid to MHQ Municipal Vehicles, 401 Elm Street, Marlborough, MA 01752 for two (2) 2011 Ford Crown Victoria Police Interceptor V8 vehicles in an amount not to exceed \$48,163, including equipment transfer/installation; and as further described in a memorandum from the Police Chief to the Town Manager dated August 17, 2010 and entitled: "Supplemental Bid Recommendation – Police Vehicle Replacements – Flood Damage (3/30/10)." Ref. No. P-2011-160.

F. VOTED: to authorize the Tax Assessor to abate taxes in the total amount of \$6,354.32, as shown on Tax Abatement Request No. 459.

Council President Fogarty recused herself.

UNANIMOUSLY VOTED: to adjourn at 8:40 PM.

Dale S. Holberton, CMC
Town Clerk