

WORK SESSION

SEPTEMBER 27, 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 27th day of September 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 John Bernardo relative to his interest in serving on various Boards, Committees and Commissions.

1. B. WORK SESSION

Discussion ensues relative to a request by Richard Fuka, President of the RI Fishermen's Alliance to discuss the adoption of Narragansett's resolution calling for the suspension of the newly adopted catch share/sector management program imposed on the fishing industry in the Northeast by the National Oceanic and Atmospheric Administration. The Town Council endorsed that resolution in August and forwarded a letter to NOAA.

Discussion ensues relative to members of Troop 44 Matunuck attending this evening's meeting and leading the Pledge of Allegiance to the Flag.

Discussion ensues relative to Public Hearing Item 7A on this evening's agenda in regard to proposed amendments to the Town Code, 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.

Discussion ensues relative to Communication Item 8A dated September 8, 2010 from Christopher Gray, Chairman, LNG Working Group requesting the Town instruct the

WORK SESSION

SEPTEMBER 27, 2010

Employees' Retirement System of RI to sell all holdings of Hess Corporation held in the Town's account.

Discussion ensues relative to Communication Item 8C dated September 9, 2010 from Mark and Jan Ferruccio and a petition signed by neighborhood residents requesting the installation of storm drains on Juniper Road.

Discussion ensues relative to New Business Item 13C authorizing the purchase from Physio Control, Inc., 11811 Willows Road NE, Redmond, WA 98073 of two (2) LUCAS Chest Compression Systems in accordance with specifications in an amount not to exceed \$18,630.

Discussion ensues relative to New Business Item 13G authorizing the purchase from Zoll Medical Corporation, 269 Mill Road, Chelmsford, MA 01824-4105 of one (1) E-Series Heart Monitor in accordance with specifications in an amount not to exceed \$31,230.

Discussion ensues relative to New Business Item 13D authorizing an award of bid to Liberty Chevrolet, Inc., 90 Bay State Road, Wakefield, MA 01880 for the purchase of one (1) 2010 Chevrolet 6-wheel dump truck, in accordance with all bid specifications and in an amount not to exceed \$29,554, including trade-in allowance.

Discussion ensues relative to New Business Item 13E authorizing an award of bid to J.J. Gregory and Sons, Inc., 77 Highland Avenue, East Providence, RI 02914 for the purchase of one (1) 2010 Bobcat Toolcat-5600 with V-snow plow, front mount mower and snow blower in accordance with all bid specifications and in an amount not to exceed \$53,290.

Discussion ensues relative to New Business Item 13F accepting the Planning Board's review and assessment of the Growth Management Program 2009-2011 as noted in the Summary Outline contained in the Planning Board's correspondence dated September 15, 2010, and reaffirming support of the existing program goals and components through the final year of the biennial program.

Convened to Regular Session.

Dale S. Holberton, CMC
Town Clerk

REGULAR SESSION

SEPTEMBER 27, 2010

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 27th day of September 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 led by Boy Scout members of Troop 44 Matunuck.

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 September 13, 2010 are accepted, approved and placed on file.

B. Regular Session: UNANIMOUSLY VOTED: that the minutes of the Regular Session held on September 13, 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) 6D. UNANIMOUSLY VOTED: to grant Victualling Licenses for the year beginning December 1, 2010 to the following; Renewals:

C. L. ENTERPRISES INC. d/b/a HAL'S GARAGE & AUTO BODY, 171 Old Tower Hill Road, Wakefield, RI 02879 subject to approval by the Fire Chief. Application by R. Harold Thomas Jr., Vice President, 11 Wishing Well Circle, Wakefield, RI 02879. License No. 12485.

REGULAR SESSION

SEPTEMBER 27, 2010

DC RESTAURANT, LLC d/b/a PICKPOCKETS, 231 Old Tower Hill Road, Wakefield, RI 02879. Application by David J. Carty, 34 Canonchet Way, Narragansett, RI 02882. License No. 12487.

S & C ICE CREAM d/b/a BRICKLEY'S ICE CREAM, 322 Main Street, Wakefield, RI 02879. Application by Stephen F. Brophy, 20 Jessica Lane, Wakefield, RI 02879. License No. 12489.

(CA) 6E. UNANIMOUSLY VOTED: to grant Victualling and Holiday Sales Licenses for the year beginning December 1, 2010 to the following; Renewals:

BELMONT MARKETPLACE INC., 600 Kingstown Road, Wakefield, RI 02879. Application by Vincent J. Siravo, Jr., 29 Everett Street, Newport, RI 02840. License Nos. 12491, 12492.

LICKETY SPLITS, INC., 36 South County Commons Way, Unit C4, Wakefield, RI 02879. Application by Colleen S. Bongiovanni, 24 Inkberry Drive, Wakefield, RI 02879. License Nos. 12494, 12495.

(CA) 6F. UNANIMOUSLY VOTED: to grant Holiday Sales Licenses for the year beginning December 1, 2010 to the following; Renewals:

CARDI'S FURNITURE BEDDING PLUS, 25 South County Commons Way, Unit B1, Wakefield, RI 02879. Application by Susan Halvarson, One Furniture Way, Swansea, MA 02777. License No. 12497.

CHERRY LANE INC., 344 Main Street, Wakefield, RI 02879. Application by H. Lincoln Vehmeyer, Jr., 21 Summit Avenue, Narragansett, RI 02882. License No. 12498.

GRAPHIC EXPRESSIONS INC., 254 Robinson Street, Wakefield, RI 02879. Application by Janet F. Cahoone, 79 Columbia Street, Wakefield, RI 02879. License No. 12499.

SPANGLES, 324 Main Street, Wakefield, RI 02879. Application by Lisa A. Brandon, 47 Canonchet Way, Narragansett, RI 02882. License No. 12500.

STONE COVE MARINA, INC., 134 Salt Pond Road, Wakefield, RI 02879. Application by Stephen C. Wood, Jr., 10 Larkin Pond Road, West Kingston, RI 02892. License No. 12501.

REGULAR SESSION

SEPTEMBER 27, 2010

WAKEFIELD PRESCRIPTION CENTER, 580 Kingstown Road, Wakefield, RI 02879. Application by Joel Rittner, 7 Homeland Avenue, Narragansett, RI 02882. License No. 12502.

(CA) 6G. UNANIMOUSLY VOTED: to grant Firearms and Ammunition Licenses for the year beginning December 1, 2010 to the following; Renewals:

FREEDOM SPORTS AND ARMS, 236 High Street, Wakefield, RI 02879 subject to approval by the Fire Chief. Application by Leonard A. Cuoco, Sr., 45 Perry Avenue, Wakefield, RI 02879. License No. 12503.

WILLIAM R. LEBLANC, GUNSMITH, 265 Main Street, Wakefield, RI 02879. Application by William R. LeBlanc, 1065 South Road, Wakefield, RI 02879. License No. 1212504.

PEACE DALE SHOOTING PRESERVE, 130 Pearls Way, Wakefield, RI 02879. Application by Richard V. Frisella, 130 Pearls Way, Wakefield, RI 02879. License No. 12505.

(CA) 6H. UNANIMOUSLY VOTED: to grant Miscellaneous Peddler and Holiday Sales Licenses for the year beginning December 1, 2010 to JOHN J. CASEY, 51 Noel Court, Wakefield, RI 02879. Application by John J. Casey, 51 Noel Court, Wakefield, RI 02879; Renewals. License Nos. 12506, 12507.

(CA) 6I. UNANIMOUSLY VOTED: to grant a Miscellaneous Permit to conduct the 10th Annual Homecoming 5K Road Race on Saturday, October 23, 2010 at 7:30 a.m. to the URI ALUMNI ASSOCIATION 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, State Traffic Commission approval and Traffic and Transportation Review Committee approval. Application by Michele A. Nota, Executive Director, 73 Upper College Road, Kingston, RI 02881; Renewal. License No. 12508.

(CA) 8B. UNANIMOUSLY VOTED: that a communication from Linda Ide, CPA, RISCPA Board Member inviting Town Council members to attend a seminar on October 5, 2010 entitled "Innovative Ways to Govern with Limited Resources" sponsored by the RI Society of Certified Public Accountants is received and placed on file. (9/23/2010 Miscellaneous, Item II C.)

(CA) 8D. 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.

REGULAR SESSION

SEPTEMBER 27, 2010

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 Finance Director to refund taxes in the total amount of \$66.28, as shown on Tax Refund Request Nos. 881, 882.

(CA) 13B. UNANIMOUSLY VOTED: to authorize the Tax Assessor to abate taxes in the total amount of \$4,244.07, as shown on Tax Abatement Request No. 460.

(CA) 13H. 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. UNANIMOUSLY VOTED: to accept the withdrawal of an application for a Miscellaneous Permit to hold a Fall Music Family Event at the Town parking lot in Peace Dale on Saturday, October 2, 2010 from 4 p.m. to 7 p.m. to the PEACE DALE NEIGHBORHOOD REVITALIZATION INC., 1935 Kingstown Road, Peace Dale, RI 02879. Application by Leslie A. Chouinard, President, 9 Emmett Lane, Peace Dale, RI 02879; New.

B. UNANIMOUSLY VOTED: to grant a Holiday Sales License to GLOBAL MONTELLO GROUP CORP. d/b/a MOBIL MART, 3079 Tower Hill Road, Wakefield, RI 02879 subject to approval by the Fire Chief and RI Division of Taxation. Application by Louise Marcus, Esquire, 33 College Hill Road, Suite 15E, Warwick, RI 02886; New. License No. 12483.

C. UNANIMOUSLY VOTED: to grant a Holiday Sales License to Supercuts #90629, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Jon Alt, License Supervisor, Supercuts Corporate Shops, Inc., 7201 Metro Boulevard, Minneapolis, MN 55439; New. License No. 12484.

7. PUBLIC HEARINGS

REGULAR SESSION

SEPTEMBER 27, 2010

A. Notice having been duly given, a Public Hearing is held 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.

The Town Manager discusses the history of this proposed amendment, originally suggested by resident David Frederick. This amendment follows legislation requested by our local legislative delegation and approved in June by the General Assembly that amended the state statute governing veterans' exemptions.

Councilwoman Whaley requests that Mr. Frederick be notified by letter of this amendment.

Discussion ensues relative to the number of veterans applying for this exemption, and the amount of tax relief granted.

UNANIMOUSLY VOTED: to close the Public Hearing.

UNANIMOUSLY VOTED: to adopt 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.

REGULAR SESSION

SEPTEMBER 27, 2010

(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.

8. COMMUNICATIONS

A. UNANIMOUSLY VOTED: that a communication dated September 8, 2010 from Christopher Gray, Chairman, LNG Working Group requesting the Town instruct the Employees' Retirement System of RI to sell all holdings of Hess Corporation held in the Town's account is received and placed on file. (9/16/2010 Interim, Item D.)

C. UNANIMOUSLY VOTED: that a communication dated September 9, 2010 from Mark and Jan Ferruccio and a petition signed by neighborhood residents requesting the installation of storm drains on Juniper Road is received, placed on file, and referred to the Public Services Director for review and response. (9/23/2010 Miscellaneous, Item II G.)

9. COMMENTS FROM INTERESTED CITIZENS

Council President Fogarty invites residents to come forward with comments.

Helen Allen is present and comments that the LED sign at Wakefield Prescription Center is distracting, and inquires as to the status of the Town Hall bell.

Richard Fuka, President of the RI Fishermen's Alliance is present and advocates for the adoption of Narragansett's resolution calling for the suspension of the newly adopted catch share/sector management program imposed on the fishing industry in the Northeast by the National Oceanic and Atmospheric Administration. Council President Fogarty informs Mr. Fuka that the Town Council endorsed that resolution in August and forwarded a letter to NOAA. It is consensus to provide Mr. Fuka with copies of our resolution and letters, and forward copies to the Governor's Office.

Bob Trager, Sr. is present and comments on the fishing industry, the lack of televising of the Town Council meetings, and the current national focus on education.

Jonathan Daly-LaBelle is present and agrees that he would like to see live broadcast of Town Council meetings, and comments on the location of political signs.

Alex Kleckner, Boy Scout from East Matunuck is present and request that the "no jumping off the bridge" sign on the Succotash Road bridge be changed to "jump at your own risk."

REGULAR SESSION

SEPTEMBER 27, 2010

David Frederick is present and comments on the Veterans exemption amendment.

10. TOWN MANAGER'S REPORT

Town Manager Stephen Alfred advises that the Town has been approved by the RI Clean Water Finance Agency for an additional \$1,000,000 for community septic system loans. The Town Manager's Interim Report dated September 16, 2010, and the Agenda and Miscellaneous Reports dated September 23, 2010 are accepted, approved and placed on file.

11. TOWN SOLICITOR'S REPORT

The Town Solicitor has no report this evening.

12. APPOINTMENTS – None

13. NEW BUSINESS

C. UNANIMOUSLY VOTED: to authorize the purchase from Physio Control, Inc., 11811 Willows Road NE, Redmond, WA 98073 of two (2) LUCAS Chest Compression Systems in accordance with specifications in an amount not to exceed \$18,630; and as further described in a memorandum from the Emergency Medical Services Director to the Town Manager dated September 8, 2010 and entitled: "Purchase Recommendation – LUCAS Chest Compression System." Ref. No. G-2011-500.

D. UNANIMOUSLY VOTED: to authorize an award of bid to Liberty Chevrolet, Inc., 90 Bay State Road, Wakefield, MA 01880 for the purchase of one (1) 2010 Chevrolet 6-wheel dump truck, in accordance with all bid specifications and in an amount not to exceed \$29,554, including trade-in allowance; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated September 21, 2010 and entitled: "Bid Recommendation 6-Wheel Dump Truck and Utility Work Machine." Ref. No. R-2011-266.

E. UNANIMOUSLY VOTED: to authorize an award of bid to J.J. Gregory and Sons, Inc., 77 Highland Avenue, East Providence, RI 02914 for the purchase of one (1) 2010 Bobcat Toolcat-5600 with V-snow plow, front mount mower and snow blower in accordance with all bid specifications and in an amount not to exceed \$53,290; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated September 21, 2010 and entitled: "Bid Recommendation 6-Wheel Dump Truck and Utility Work Machine." Ref. No. R-2011-267.

REGULAR SESSION

SEPTEMBER 27, 2010

F. A presentation is made by L. Vincent Murray, Director of Planning, and it is UNANIMOUSLY VOTED: to accept the Planning Board's review and assessment of the Growth Management Program 2009-2011 as noted in the Summary Outline contained in the Planning Board's correspondence dated September 15, 2010, and reaffirming support of the existing program goals and components through the final year of the biennial program; as further described in a memorandum from the Director of Planning to the Town Manager dated September 15, 2010 and entitled: "Growth Management Program Assessment and Report to the Town Council."

G. UNANIMOUSLY VOTED: to authorize the purchase from Zoll Medical Corporation, 269 Mill Road, Chelmsford, MA 01824-4105 of one (1) E-Series Heart Monitor in accordance with specifications in an amount not to exceed \$31,230; and as further described in a memorandum from the Emergency Medical Services Director to the Town Manager dated September 22, 2010 and entitled: "Purchase Recommendation – Heart Monitor." Ref. No. G-2011-501.

UNANIMOUSLY VOTED: to adjourn at 9:07 PM.

Dale S. Holberton, CMC
Town Clerk