

At the Regular Meeting of the Town Council of the Town of North Kingstown, County of Washington, and State of Rhode Island, held in and for said Town, County, and State this 27th day of February, 2023 at the Town Hall Council Chambers, 80 Boston Neck Road, at 6:02 p.m.

PRESENT WERE: Gregory A. Mancini, President
Katherine K. Anderson
Lawrence C. Mandel
Matthew B. McCoy
Dr. Kimberly Ann Page

ALSO PRESENT: A. Ralph Mollis, Town Manager
Jeannette Alyward, Town Clerk
Susan A. Murray, Deputy Town Clerk
Matthew F. Callaghan, Jr., Town Solicitor

An audio recording and video recording of this meeting was made to supplement the written record.

1. Call to Order

The Regular Meeting of the Town Council of the Town of North Kingstown held on February 27, 2023 was called to order by President Mancini.

2. Notice of Meeting being posted

Pursuant to R.I.G.L. 42-46-6(c), notice of this meeting has been posted on the Secretary of State's Website.

3. Executive Session

Motion by Councilor Mandel, seconded by Council Page and unanimously

VOTED: To adjourn into Executive Session pursuant to Rhode Island General Laws 42-46-4 and 42-46-5, Subsection (1) – Personnel (Town Manager's Evaluation) - and Subsection (5) – Real Estate (Proposal of an Avigation Easement)

Clerk's note: The Town Manager was notified in writing to have his evaluation conducted in public.

4. Salute to Flag

President Mancini led those in attendance in a salute to the flag.

President Mancini led those in attendance in a moment of silence in memory of the passing of MCPO John Whitman Moon, USN (Ret.) and the 20th Anniversary of the Station Nightclub Fire.

5. Public Comment

Richard Welch, 8 Arrow Lane, stated that he attended a meeting for the Planning Commission and there was a request put in by the QDC to allow multi-family housing in the industrial park. He stated that he was against this. He has been a long-time resident and has some knowledge of the history back in the day where residential housing was not allowed in the industrial park, it was limited to industrial and office space. There are developers who have spent a lot of money in the Town to invest in multi-family housing and they did it under the assumption they would not be competing with the State at Quonset. If we let the State pass this, it will cause similar problems just like Crossroads with overcrowding of the schools and issues in the neighborhood. He also stated that the Town is almost at its 10% Affordable Housing. He is aware that the State can do what they want, but we are the host community, and we should be able to say that we want it to conform to our planning recommendations.

Michael Donohue, 141 West Main Street, read the following statement:

“I am here to support the request of the Planning Department to reinstate the contract for the Wickford Village Parking Study.

The decision to delay the study when COVID hit was the right one, no study completed at that time would have been able to accurately estimate what parking is available in the village, nor how recent changes in the businesses and restaurants in the village affect life for business and residents alike. Now I believe before it is even more important to conduct a thorough assessment of parking needs, before even more changes occur.

As examples, several village restaurants are expanding their operations and new restaurants will be opening in the next few months.

None of the restaurants has their own parking, all will apparently rely on public parking areas to serve their patrons. The total additional demand will likely add almost 200 restaurant seats to the existing demand.

The successes of the existing restaurants and coffee shops in the village is to be commended by the expansions and new restaurants will add a demand for many additional parking spaces. Parking in Wickford is a zero-sum game. If one party demands more parking, existing users lose access to those spaces, both the other businesses on Brown, Main and West Main, and to me, of great importance, for the residents in the village.

The additional parking demand is already spilling over into the residential areas, on Main, West Main, Franklin and Elam Streets and others. Wickford on the Water is proposing to use the back gravel part of the Baptist Church for parking, but I don't think any of the neighbors have ever been contacted regarding how a change of that lot to shared commercial parked used for either customers or employees will affect resident lives, cars leaving the parking lot each night brightly shining the fronts of their homes and adding late traffic to a quiet residential setting.

And currently there are no open hearings or public notices where residents and other businesses can ask questions like these and register concerns about where the cars are going to go.

Part of what I'm asking this evening is for the town planners and the businesses to consider how the growth of business will affect their neighbors. We have a business district surrounded by quiet residential streets. In some cases, homes with no off-street parking. If the increased demand for commercial parking continues to push into the residential neighborhoods, we are left with few options and perhaps, more problems.

This issue came home to me on the second Sunday of January when I walked into town at 2 p.m., a partly sunny day in the high 30s. On West Main Street, cars were parked all the way past Academy Cove, on Main all the spots were taken past St. Paul's. I counted three empty spaces on Brown Street and the municipal parking lot had to be 80% full. On a January Sunday with the Tavern by the Sea closed.

We want the businesses to succeed, but not at the expense of residential life. I would ask that the parking study be done before widespread expansion of parking demand occurs. There are still a number of empty buildings along Brown Street that hopefully will also have creative uses in the future. Yet another hoped for development, but one that should not forgo quality of life considerations.

I thank you for the opportunity to share these thoughts and hope that we can find solutions that will benefit all, visitors, businesses, and residents alike.

Please support the parking study.”

I. CONSENT AGENDA

Motion by Councilor Anderson, seconded by Councilor Page and unanimously

VOTED: To approve Consent Agenda Item Numbers 6 through 22 as presented with the exception of Agenda Items Numbers 6 and 19.

6. Approval of Minutes

Motion by Councilor Mandel, seconded by Councilor Anderson and was

VOTED: To approve the minutes of the Regular Meeting of January 9, 2023 as amended.

Councilor Page abstained from this vote as she was not present for this meeting.

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To approve the minutes of the Regular Meeting of January 23, 2023 as submitted by the Office of the Town Clerk.

7. Water Bill Abatement

VOTED: To approve the water bill abatement as submitted by Tim Cranston, Director of Water Supply in the amount of \$5,278.00 for the property located at 1675 Ten Rod Road.

8. Receipt of Donation

VOTED: To accept with gratitude the donation of one (1) original framed painting to be displayed at the Town Hall given by Mimi Huzser Fagnant painted by her father John Huzser.

9. Receipt of Donations

VOTED: To accept with gratitude the following donations in the amount of \$75.00:

For: Beechwood Senior Center	
From: Joan Morito	\$50.00

For: Beechwood Senior Center	
To be used for the Mealsite	
From: Anonymous	\$25.00

10. Receipt of Donation

VOTED: To accept with gratitude a donation in the amount of \$1,000.00 from the Allen R. Southwick Trust to be used for "Al's Kids" Recreation Program Scholarships.

11. Receipt of Donation

VOTED: To accept with gratitude a donation in the amount of \$1,000.00 given by an anonymous donor to be used by the Recreation Department towards 2023 summer camp scholarships.

12. Receipt of Donations

VOTED: To accept with gratitude the following two (2) donations to be used by the North Kingstown Animal Shelter, 395 Hamilton Allenton Road, for assisting in the care and shelter of animals in need:

Senna's Collars for a Cause	\$150.00
Paul and Elizabeth Dicenso	\$ 50.00

13. Acceptance of a Grant

VOTED: To accept a grant from the Horace A. Kimball and S. Ella Kimball Foundation in the amount of \$15,000.00 to be used for infrastructure projects at the North Kingstown Animal Shelter, 395 Hamilton Allenton Road.

14. Award of Bid

VOTED: To award the bid for the Water Department for the installation of Tank Mixers at the Forge Road Tank and the Saunderstown Tank to CorrTech, Inc., 25 South Street, Hopkinton, MA 01748, for a total net bid price of \$43,346.00.

Funding for this item will come from FY2023 Water Department Capital Outlay - Tank Rehabilitation Account 44040090 551002.

15. Letter of Resignation

VOTED: To accept the letter of resignation from John Kliever, resigning from the Wickford Advisory Committee, and that the Town Council send a letter of appreciation to him for the dedicated service he gave to the Town of North Kingstown.

16. Detective License (renewal)

VOTED: To approve to December 1, 2023 the renewal application for a Detective License by John J. Staba, 42 Main Street, East Greenwich, subject to taxes and water paid to date, receipt of a bond, and receipt of a recommendation from the North Kingstown Police Department.

17. Annual Exhibition License (no vendors) (renewal)

VOTED: To approve to July 1, 2023 the renewal application for an Annual Exhibition License with no vendors by Kim Filburn, 66 Arrow Lane, dba North Kingstown Pet Refuge, 500 Stony Lane, to hold a Spring Bazaar at the Cold Spring Community Center, 34 Beach Street, on Sunday, March 26, 2023, from 9:00 a.m. to 3:00 p.m., subject to taxes and water paid to date and compliance with the recommendations of the Fire Department, the Police Department, the Planning Department, and the Building Official.

18. Exhibition License (11-20 vendors)

VOTED: To approve the application for an Exhibition License with 11-20 vendors by Lindsay Dias, dba The Leukemia & Lymphoma Society, 70 Walnut Street, Suite 301, Wellesley, MA, to hold an art exhibition fundraiser event at the Cold Spring Community Center on April 15, 2023, from 4:00 p.m. to 10:00 p.m., subject to taxes and water paid to date; receipt of a Show Promoter's Permit; receipt of a list of vendors at the Town Clerk's Office by April 14, 2023 (which shall include their name, address, phone number, Tax ID Number, type of merchandise, and date of birth); and compliance with the recommendations of the Fire Department, the Police Department, the Building Official, and the Planning Department.

19. Exhibition License (61 or more vendors) (not to exceed 250 vendors)

Motion by Councilor Anderson, seconded by Councilor McCoy and unanimously

VOTED: To approve the application for an Exhibition License with 61 or more vendors, not to exceed 250 vendors, by the Wickford Art Association, 36 Beach Street, to hold the Wickford Art Festival on Saturday, July 8, 2023 from 10:00 a.m. to 5:00 p.m. and Sunday, July 9, 2023, from 10:00 a.m. to 5:00 p.m., on the grounds of Wilson Park, Roosevelt Avenue, subject to taxes and water paid to date; receipt of a list of vendors at the Town Clerk's Office by July 7, 2023 (which shall include their name, address, phone number, Tax ID Number, type of merchandise, and date of birth); receipt of a copy of their Show Promoters Permit; and compliance with the recommendations of the Fire Department, the Police Department, the Planning Department, the Building Official.

20. Holiday Sales License (new)

VOTED: To approve to July 1, 2024 the application for a Holiday Sales License by Martha Russo, dba Zenergize, 6198 Post Road, subject to taxes and water paid to date, receipt of a RI Retail Sales Tax Permit, and approval from the Building Official and the Fire Marshall.

21. Victualling License (renewal)

VOTED: To approve to December 1, 2023 the renewal application for a Victualling License by Bayview Operator, LLC, dba Bayview Rehabilitation at Scalabrini, 860 North Quidnessett Road, subject to taxes and water paid to date, receipt of a Rhode Island Department of Health Certificate, and compliance with the recommendations of the Fire Marshall and the Building Official.

22. Victualling License (amend hours of operation)

VOTED: To amend the hours of operation on the Victualling License for Shayna's Place, LLC, 45 Brown Street, as follows:

From: 8:00 a.m. - 5:00 p.m.

To: 9:00 a.m. - 9:00 p.m.

II. REPORTS

23. Report by the Town Manager

Town Manager Mollis gave the following report:

- The North Kingstown Recreation Department is kicking off it's 2023 Summer Camp Program. We will be offering 3 different camps this year.

The first will be the continuation of our successful and cost-efficient Camp Program for children ages 6 – 11 at our four playground locations – McGinn Park, Wilson Park, Stony Lane, and Forest Park. Camp will run from June 26th through August 18th, Monday thru Friday from 9am till 4pm with early care from 8am – 9am available at Wilson and McGinn. Busing and lunch are provided in applicable areas. There will be numerous activities and opportunities for field trips throughout the year.

The second camp is for ages 12 – 13. The camp will be held at McGinn Park and will be separate from the younger camp. There will be busing and early care option. There will be three 2-week sessions packed with trips to Lake Compounce, 6 Flags, Brownstone, historical locations, Launch and more. Parents can sign their children up for one or more sessions.

The third camp will be for two weeks, from August 21st through September 1st at Wilson Park for parents who need assistance for the last two weeks of summer. These two weeks are challenging for us as most of our staff leave for college so the space will be limited.

Our Recreation Department has a new registration website which can be found by visiting our Town's website and then navigate to recreation. Parents can feel free to call Recreation for personalized help. In addition, our Rec Department has scholarships available via an application process. And we are hiring for all camp positions and counselor training positions. Please reach out to Rec Director Chelsey Dumas-Gibbs for more information and applications.

Registration opens on March 13th at 9am and camps fill up fast.

- The Economic Development Arm of our Planning Department has rolled out a new program called "Post Road Spotlight". We will be highlighting one business per month from within the Post Road Corridor to be featured in the spotlight which we'll highlight on our website and Social Media Platforms. Businesses can apply to be considered beginning March 1st. Information can be found on our website and Social Media Platforms.

- We are proud to announce that the Town's 2021 Audit has received the GFOA Certificate in Achievement in Financial Reporting. The Award recognizes our providing the highest level of reporting and follows our Award last year for our Annual Budget Presentation. This Award was established to encourage local governments to go beyond the requirements of generally accepted accounting principles and to prepare comprehensive financial reports that display transparency and full disclosure. Only 10 other communities in R.I. received this Award for 2011. Congratulations and thanks to the hard work of the Finance Department, Jim Lathrop, Deputy Finance Director Deb Bridgham and our Auditors Kyle Connors and his team at Marcum.
- The Town Council, at your January 23rd meeting, asked me to review the Whistleblower Ordinance, compare comparable policies in other communities and attempt to come up with a suitable replacement that could be used as a Best Practice. I've been working on this for the past month and will be completing it and reviewing it with our Town Solicitor and plan to have something to discuss with you at your March 13th meeting.
- One final reminder for our general public --- the Fiscal Year 2024 Budget will be presented to the Town Council at the March 13th Council Meeting, followed by the Council Meeting with Department Heads all day on Thursday, March 16th and the evening of Monday, March 20th before adopting a Preliminary Budget that night. Most importantly, the Public Hearing on the Budget will be Wednesday evening, April 19th.
- This past week we had a productive meeting on plans for a new Public Safety Complex. We have a meeting of the School Building Committee this Wednesday evening which will provide us with some direction on the School Department Building Plans and based on the results of that meeting, I hope to introduce long awaited plans on a new Public Safety Complex and Recreation Center to the Town Council sometime in March or April.
- Due to tomorrow's weather forecast, Waste Management will be treating tomorrow in accordance with their holiday schedule and recycle pick-ups will be delayed one day in town. Tuesday pick-ups will take place on Wednesday, Wednesday pick-ups will take place on Thursday, etc.
- Thanks to our Town Clerk, Jeannette and my Administrative Assistant, Kate for picking out the beautiful clock we now have in the Council Chambers that reflects the décor of the room.

In answer to Councilor McCoy's question when the Council can expect to see the retail cannabis ordinances, Mr. Mollis stated that they have to go before the Planning Commission and then will come to the Council with their recommendation at the March 13th Council Meeting.

24. Report by the Finance Director

Finance Director James Lathrop gave the following report:

The Council has been provided the January 2023 year to date budget report with their packet. This is the seventh month of the fiscal year. Our projected surplus is \$1,126,173. It should be noted that this includes use of \$250,000 of our fund balance.

Revenues are driving the surplus. Department revenues are projected to be \$355,550 more than budgeted. Real estate recording revenue continues to be higher than budgeted. Other areas of note are police detail and various building related fees. A majority of positive variance is related to interest income which we are projecting to be \$637,000 above budget amounts. A year ago, we were earning approximately 0.125% interest on funds. Currently we are earning between 3.85% and 4.5% interest on funds. We have also negotiated lower balance requirements with both Washington Trust and Webster Bank. This allows more funds to be invested. ARPA funds are also invested until they are needed. I want to acknowledge Laurie LaBore from the Finance Department for her great work in making sure any idle cash is fully invested.

As mentioned in previous reports, Motor Vehicle taxes appear low, but we have a positive variance in State revenue, as the motor vehicle tax was eliminated, but made up with additional state revenue after the budget was complete.

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Projected positive variance in expenditures is being driven by unfilled positions and the resulting savings in wages and benefits. Looking at the Wage and Overtime sheet you will see that we are projecting wages to be \$218,351 under budget. Compare this amount to an overall expenditure variance of \$217,197.

After questions regarding energy costs in last month's report, we did a complete analysis of these accounts, and adjustments in this area now lead us to project this line item to be slightly over budget. We currently have been purchasing electricity on a short-term contract due to market volatility. In March the current contract will expire, and we will look to lock in prices on a long-term contract as prices have declined.

Lastly, I am happy to report that we have been informed that we were notified that the Town and the Finance Department were awarded the GFOA Certificate of Excellence in Financial Reporting. This is the highest and most prestigious award given by the GFOA. This was our second attempt to qualify for this award. North Kingstown is the 10th Rhode Island Community to receive this honor. I want to thank the finance team, particularly Deb Bridgham and Marcum, our auditors, for their work in this achievement. I also would like to thank the Audit Committee for their support and encouragement in pursuing this goal.

President Mancini stated that he appreciates that Mr. Lathrop took another look at the utility line. Based on what he is seeing, we went from a \$234,000 surplus to a \$65,000 deficit which equates to a \$300,000 difference. In answer to President Mancini's question if this attributed to billing, Mr. Lathrop stated that we have struggled because of staffing, and we were behind a month in billing which he was unaware of. We have caught up and are now going to on-line bill pay to avoid the paper process. The numbers are based on a projection and not the actual. President Mancini stated that he doesn't understand the billing issue. Mr. Lathrop stated that we have hundreds of accounts which is time consuming. We spent quite a bit of time to account for every location and discovered that we were missing some bills. President Mancini stated that it appears that the issue is with the number of accounts and the adjustments with the energy company is the basis for the delta. Mr. Lathrop stated yes as well as the net metering and account for the credits.

President Mancini stated in last month's report we were projecting a \$1.2 million surplus and we are projecting \$1.1 million even though we have approximately a \$300,000 difference in utility billing. Mr. Lathrop stated he is very conservative in nature and doesn't like to overpromise. As we get closer to the end of the year and the audit is behind us, we are starting work for next year and doing an analysis on the accounts. With the size of our budget of approximately \$120 million in the general fund, a couple of hundred thousand dollars is small. The projections are just that, projections and is a fluid thing and not an exact science. It is based on history, experience and a little bit of guesswork.

Councilor Page appreciates the thoroughness of the report and Mr. Lathrop explaining things.

25. Hazard Mitigation Plan and Community Rating System Updates

Nicole LaFontaine, Director of Planning and Development stated that we are required as part of our CRS and Hazard Mitigation Program to give yearly reports to the Council. The Council will need to take action on these items over the next year as we are required to do a five-year update which is due in 2024.

The Hazard Mitigation Plans help to identify policies and actions and can be implemented to reduce risk and future losses. In addition to the mitigation grant eligibility, an approved HMP allows the Town to participate in the National Flood Insurance Program's (NFIP) Community Rating System (CRS) program. The Hazardous Mitigation Plan is a critical element of participation in the CRS, which the Town has been participating in CRS since the 1990's which is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Under the CRS, flood insurance premiums for properties in a participating community are reduced to reflect the flood protection activities in that community.

Ms. LaFontaine further stated that part of the town's participation in the Community Rating System program is that the Town is currently a Class 9 and property owners in the floodplain receive a 5% discount on their flood insurance. We are working to advance to a Category 8 in the next 5-year cycle verification which would allow property owners in the floodplain to receive a 10% savings on their policies.

Ms. LaFontaine encouraged everyone to visit the website listed in her memo to obtain a better understanding of the programs.

Councilor Mandel asked if we have always been a Category 9. Ms. LaFontaine stated that we have been a Category 9 for over 10 years. We have had issues with some elevation certificates that could not be addressed. We can only change a category every five years and those issues have been addressed; however, she is not sure if that will allow us to go to Category 8. We have enough points to go down to a Category 8 or even a 7; however, she is unsure if the elevation certificates will allow us to do so.

In answer to President Mancini's question if we have an idea of the value of the properties that should be in the floodplain, Ms. LaFontaine stated that she isn't sure that is a number she can get. President Mancini stated that those properties that are in a flood zone and don't have a mortgage are most likely not being reported. Ms. LaFontaine stated that is correct.

The Council thanked Ms. LaFontaine for her presentation.

Clerk's note: Copies of Ms. LaFontaine's memos are filed with the back-up materials for this agenda item.

III. OLD BUSINESS

26. Update on "Annex/Old Library" Building Project

Eve Clulow, 35 Weaver Road, thanked the Council for giving her the opportunity to address them and provide an update on the project. Hopefully with the information she provides tonight we can come to an equitable agreement that will allow the project to continue. She further stated that the best way to address this is to provide a brief outline of the project.

- In 2017, an RFP was issued for 55 Brown Street which was a national search and her project was the only one submitted.
- The proposed budget at that time was \$2 million and that was from a local construction company.
- In 2018, there was a referendum, and the voters passed the question to sell the property.
- The sale was delayed by a legal issue. Which was resolved by the end of 2018.
- 2019 was spent doing due diligence with the Town as well as her working with Historic Preservation agencies. Her architects had to do multiple redesigns to meet their approvals.
- This property sits in the middle of the municipal parking lot so the Town worked on easements and zoning issues.
- It was at this time that she boarded a new contractor who looked at the project and gave an estimate of a \$4 million budget.
- At the time of the original proposal and the proposed budget of \$2 million, she personally had the equity to secure financing for the project. However, with the increase of the project to \$4 million, she did not and needed to get creative.
- In 2020, COVID slowed everything down on her end as well as the Town. We were watching building and material costs skyrocket. Despite that in September 2020, we did complete the sale of the building.
- In January 2021, the contractor came back with a revised budget of \$5.2 million. After speaking with a number of people, we feel this estimate is overstated.

- In 2022, she spent time finding additional funding which leads us today. Two new contractors have looked at the building/project and one is going to put a bid together for her.
- The bid/estimate will take 4-5 weeks, which brings us to the end of March beginning of April.
- Once that bid is submitted, she will meet with her potential investors to determine if the budget permits a common sense business model.

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- If the project is doable we will contact the banks and prepare presentations to the multiple banks that are interested in this project between April and mid-May.
- The approval process will take approximately 4 weeks which brings us to mid-June.
- If we get approval from the banks, the permitting process will begin at that point which could take up to 6-8 weeks which would bring us to mid to the end of August with a groundbreaking in September.
- Completion and Certificate of Occupancy between May and September 2024.

Ms. Clulow further stated that she understands that there are elements in the purchase and sales agreement that obviously she will not be able to meet and based on the stated timeline cannot meet. She is hoping the Council will consider an extension to the agreement primarily due to COVID and increased construction costs. She thinks the project is doable and she has investors that want to join her in this project and hopefully we can come to some sort of an agreement that is acceptable to the Council to allow her to complete the project as originally proposed.

In answer to Councilor McCoy's question what the end date of the agreement is, Mr. Mollis stated he would like to take advantage of this question and mention a couple of things regarding the request for the extension.

Mr. Mollis stated basically if Ms. Clulow is not able to get a CO by mid-September 2023, we/town would have the option to purchase the premises for \$100,000 plus costs of any improvements made by Ms. Clulow including sewer hookup fees. It is not that we automatically take it back, but we have the option. He also wants the Council to be aware that he has shared some concerns with Ms. Clulow about the fact that the extension should be for no more than one year; however, it is at the discretion of the Council. Should the Council give this extension, then the extension be contingent that the buyer shows sufficient financing to the Manager and Council by July 31st and that the buyer provides adequate proof to begin construction by October 30th. He is also concerned that in Section 14 of the contract it states that if the buyer receives a bona fide offer to purchase the premises, then we have the option within 45 days to match that offer. His concern is that if the Council provided that year extension and the bona fide offer is more than the \$100,000 plus her costs, the Council would be saying we didn't do right by the town by paying more. Based on this he would ask that Section 14 be eliminated and replaced with some language that would basically prevent Ms. Clulow from selling it to anyone but the Town from now until the end of the extension.

Mr. Mollis stated that if the Council is willing to give this extension, he and the Solicitor would craft language to protect the Town.

Ms. Clulow stated that as we go through the process, she will continually update the Manager of the progress of the project.

President Mancini stated that he appreciates Ms. Clulow's candor and appearing before the Council.

Councilor Mandel stated that he thinks everyone is enthusiastic about this project as it would be great for the Town and for 55 Brown Street. He thanked Ms. Clulow for trying to make this project work. He thinks that what he has heard tonight is that Ms. Clulow will be able to provide assurances that she will be able to secure funding by July 31st and this will be a viable project. And, by October 30th construction will begin. In both of these cases we would look at changes to Section 14 and we would no longer have this bona fide offer issue on the table which is complicated and problematic for us. Ms. Clulow stated that is correct, it would remove any concerns the Council would have of another buyer coming in. Councilor Mandel stated that based on what he has heard tonight he is very much assured and would like the Council to provide this extension.

President Mancini asked Ms. Clulow to provide her vision for this project. Ms. Clulow stated her vision has not changed. The building is historic and there are elements of the building that have been identified as such and will be treated appropriately. The building will be a restaurant and there will be an addition on the building. We will be adding a small bump out which will house the lavatories. The reason for the bump out is because RIEMA said we couldn't put the kitchen and lavatories in the basement which required a redesign of the original plans. Although the building will be a restaurant, it will be easily converted into the "Black Box Theatre" and home to the West Bay Community Theatre which already exists and performs locally. He further stated that the space can be a rental space for private events, lunch meetings, etc. Eighty-five percent of the time it will be a serviceable restaurant.

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President Mancini opened the floor for public comment. There was no public comment.

Councilor McCoy stated that earlier tonight we had Mr. Donohue speak on his concerns of parking in town and asked Ms. Clulow if she had any concerns regarding her project. Ms. Clulow stated that she was required to submit a parking plan and at that time there was an individual who did an extensive parking study based on certain times of the day. She used that as her model and when she considered customers and employee parking, it came within the requirements of the parking plan. President Mancini stated that the parking issue is part of a greater challenge that the Town Manager is going to deal with.

President Mancini stated that for clarification purposes, we are going to grant a one-year contingency, elimination of Section 14 and addition of language to ensure that Ms. Clulow cannot sell the property to anyone else other than the Town up until September of 2024, financing commitment by July 31st, start of construction by October 30th, and provide updates on the progress of the project.

Councilor Mandel made a motion to approve the perimeters as stated, Councilor Page seconded the motion.

Councilor Page stated that it is important that we keep the lines of communication open.

President Mancini stated that in the event that this project does not come to completion, the Town has the option to purchase the property back for \$100,000 plus costs incurred by Ms. Clulow.

After a brief discussion, it was unanimously

VOTED: To approve the request for an extension of the agreement for one year, that Ms. Clulow provide a financing commitment by July 31, 2023, that construction begin September of 2023, that a Certificate of Occupancy be issued by September 2024, and that Section 14 of the agreement be removed and language be inserted that Ms. Clulow cannot sell the property to another party other than the Town during the extension period to September of 2024.

27. Request to Reinstate Contract for Professional Consulting Services

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To reinstate the award of contract for the Planning Department for Professional Consulting Services for the Wickford Village Parking Study to Pare Corporation, 8 Blackstone Valley Place, Lincoln, RI 02865, in the amount of \$52,800.00 in accordance with the terms, conditions, and scope of work as originally approved and awarded by the Town Council on February 24, 2020.

Funding for this contract is from FY2023 Budget 00109010-530602 – Planning Department – Consulting Services (overdrawn).

IV. NEW BUSINESS

28. Authorization for the Planning Department to apply to Southeast New England Grant Program

Motion by Councilor McCoy, seconded by Councilor Anderson and unanimously

VOTED: To authorize the Planning Department to apply to Southeast New England Program - Rhode Island Decentralized Wastewater Improvement Grant to fund upgrades of conventional onsite wastewater treatment systems and cesspools in targeted areas in North Kingstown.

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29. Request for Class B-Limited Alcoholic Beverage License Limits Increase

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To receive and file the request by Shayna's Place LLC, 45 Brown Street; and it was

FURTHER VOTED: To increase the Class B-Limited Alcoholic Beverage License Limits from 10 to 11 and to advertise the available license.

30. Appraiser of Dog Damages

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To reappoint Captain John MacCoy, 8166 Post Road, as Appraiser of Dog Damages to April 1, 2024.

31. Arts Council – Appointments

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To reappoint the following five (5) members to the Arts Council to March 1, 2025:

Maria Carroccia, 40 Saw Mill Drive, Unit 303
James Halley, 125 Plain Road
Kathleen McCarthy, 95 Mulberry Drive, Apt 203
Deborah Sabo, 60 Prospect Avenue
Dan Swain, 33 Sanford Avenue

32. Audit Committee – Appointments

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: That the Council directed the Clerk to readvertise the vacancies of one (1) Accounting Representative and two (2) At-Large Representatives to the Audit Committee as there were no applicants.

33. Charter Review Commission – Appointments

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: That the Council directed the Clerk to readvertise the vacancies of two (2) members to the Charter Review Commission as there were no applicants.

34. Groundwater Committee – Appointment

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: That the Council directed the Clerk to readvertise the vacancy of one (1) member to the Groundwater Committee as there were no applicants.

35. Harbor Management Commission – Appointments

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To reappoint Richard Lemieux, 37 Buena Vista Drive, Waterfront Property Owner, to the Harbor Management Commission to March 1, 2025.

Motion by Councilor Mandel, seconded by Councilor Anderson and unanimously

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VOTED: To reappoint Barbara Ray, 30 Bates Avenue, Public Access Representative, to the Harbor Management Commission to March 1, 2025; and it was

FURTHER VOTED: That this appointment is made in accordance with Section 317 of the Town Charter as Ms. Ray has expertise and knowledge essential to this Commission.

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To appoint Robert S. Brown, 160 Prospect Avenue, Citizen At-Large Representative, to the Harbor Management Commission to March 1, 2025.

36. Information Technology Advisory Committee – Appointments

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To reappoint the following two (2) members to the Information Technology Advisory Committee to March 1, 2026:

Scott Lessard, 93 Dana Road, At-Large Member

Keith O'Brien, 456 Wickford Point Road, Expert Member

and it was

FURTHER VOTED: To direct the Town Clerk to readvertise the vacancies of one (1) Alternate At-Large Member and one (1) Alternate Expert Member to the Information Technology Advisory Committee.

37. Library Board of Trustees – Appointment

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To appoint Will Valverde, 14 Cambridge Court, to the Library Board of Trustees to October 1, 2025, to fill the unexpired term of Danny Humbyrd.

38. Personnel Board – Appointment

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To reappoint Christine Marinello, 31 Bromley Court, to the Personnel Board to March 1, 2026; and it was

FURTHER VOTED: To direct the Town Clerk to readvertise the vacancy of one (1) member to fill the unexpired term of Lawrence Mandel to the Personnel Board.

39. Tree Warden – Appointment

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To reappoint J. Peter Morgan, 70 Paddock Lane, PO Box 31, Slocum, RI 02877, as Tree Warden to March 1, 2024.

40. Veterans Day & Memorial Day Parades Committee – Appointments

Motion by Councilor Anderson, seconded by Councilor Mandel and unanimously

VOTED: To appoint the following two (2) members to the Veterans Day & Memorial Day Parades Committee to March 1, 2024:

William King, 165 Sauga Avenue, to fill the unexpired term of Doreen Costa
Randy Wietman, 40 Sanford Avenue, to fill the unexpired term of Louis Pazienza

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41. Veteran's Liaison – Appointment

Motion by Councilor McCoy, seconded by Councilor Page and unanimously

VOTED: To appoint Thomas Reilly, 116 Chatworth Road, Veteran's Liaison to July 1, 2024 to fill the unexpired term of Matthew McCoy.

42. Wickford Village Design Guidelines Committee – Appointment

Motion by Councilor Page, second by Councilor Anderson and unanimously

VOTED: To direct the Town Clerk to readvertise the vacancy of one (1) Alternate Business Property Owner to the Wickford Village Design Guidelines Committee as there were no applicants.

43. Correspondence

2/21/23:

- An e-mail from Megan Reilly concerning the NKSC's equity audit.

2/24/23:

- An e-mail from Dianne L. Izzo regarding comments made during previous NKTC meeting.
- An e-mail from Tim Cranston regarding the passing of MCPO John Whitman Moon, USN (Ret.)

V. ADJOURNMENT

The meeting adjourned at 8:24 p.m.

Jeannette Alyward
Town Clerk