

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 16th day of October, 2023 at the Town Hall Council Chambers, 80 Boston Neck Road, at 7:00 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
James M. Callaghan, 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 October 16, 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. 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 for the loss of lives and the hostages affected by the events in Israel.

I. PUBLIC HEARING

4. Alcoholic Beverage, Victualling, Dance, Entertainment, Billiard, Amusement, and Jukebox License Renewals 2023-2024

Motion by Councilor Anderson, seconded by Councilor Page and unanimously

VOTED: To open the Public Hearing.

There was no public comment.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To close the Public Hearing.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To approve the following list of Alcoholic Beverage, Victualling and other License Renewals, expiring on December 1, 2024, subject to taxes, water, and any other assessments paid to date; compliance with the recommendations of the Fire Department and the Building Official; and receipt of a Certificate of Good Standing by November 30, 2023:

LIC #	Class	BUSINESS NAME	DBA	BUS LOC	HOURS	CITY	ST AT E	SEATS	INSIDE SUMMER	OUTSIDE SUMMER	V	A	B	D	J	E
2	A	JAY SMIT INC	COLONIAL WINE & SPIRITS	7745 POST RD	9:00 AM- 9:00 PM	NK	RI	N/A	N/A	N/A	0	0	0	0	0	0
3	A	POST ROAD LIQUOR MART INC	KINGSTOWN LIQUOR MART	6800 POST RD	9:00 AM- 9:00 PM	NK	RI	N/A	N/A	N/A	0	0	0	0	0	0
4	B	AMPO INC	BACK 40	20 SOUTH COUNTY TRL	11:00 AM- 12:00 AM	NK	RI	124	104	22	1	0	0	0	0	1
30	B	CKL ENTERPRISES INC	THE NEIGHBORHOOD TABLE AND THE BAH (FORMERLY SONOMA BISTRO & WINE BAR)	7366 POST RD	8:00 AM- 1:00 AM	NK	RI	236	236	0	1	0	0	0	0	1
58	B	DRAGON PALACE OF NORTH KINGSTOWN	DRAGON PALACE	7400 POST RD	11:00 AM- 10:00 PM	NK	RI	130	130	0	1	0	0	0	0	0
31	B	FAIRFIELD ENTERPRISES INC	OCONNOR'S PUB	6125 POST RD	9:00 AM- 1:00 AM	NK	RI	75	75	0	1	2	5	0	0	0
20	B	GERRY ENTERPRISES INC	QUONSET O CLUB	220 LT JAMES BROWN RD	10:00 AM- 12:00 AM	NK	RI	500	500	0	1	0	0	1	0	0
22	B	JAMM GOLF LLC	ROLLING GREENS GOLF COURSE	1625 TEN ROD RD	6:00 AM- 12:00 AM	NK	RI	50	50	0	1	0	0	0	0	0
45	B	JB ON THE WATER LLC	WICKFORD ON THE WATER	85 BROWN ST	11:00 AM- 10:00 PM	NK	RI	182	66	116	1	0	0	0	0	1
75	B	JOE VAN GOGH LLC	JOE VAN GOGH	22 W MAIN ST	10:00 AM- 11:00 PM	NK	RI	40	40	0	1	0	0	0	0	0
15	B	JORDAN FOODS COMPANY LLC	GREGG'S RESTURANT	4120 QUAKER LN	11:00 AM- 11:00 PM	NK	RI	323	260	63	1	0	0	0	0	1
46	B	KPK LLC	TAVERN BY THE SEA	16 W MAIN ST	11:30 AM- 10:00 PM	NK	RI	138	50	122	1	0	0	0	0	0
10	B	KR ENTERPRISES INC	THE CARRIAGE INN	1085 TOWER HILL RD	11:30 AM- 1:00 AM	NK	RI	250	225	25	1	0	0	1	0	1
83	B	LITTLE RHODY LLC	JIGGERS SOUTH	640 BOSTON NECK RD	6:30 AM- 7:00 PM	NK	RI	40	40	40	1	0	0	0	0	0
48	B	O SUSHI RESTAURANT & BAR INC		7659 POST RD	11:00 AM- 1:00 AM	NK	RI	80	80	0	1	0	0	0	0	0
9	B	PALOMARES INC	EL TAPATIO MEXICAN FAMILY RESTAURANT	8220 POST RD	11:00 AM- 11:00 PM	NK	RI	86	66	20	1	0	0	0	0	0
21	B	QUIDNESSETT COUNTRY CLUB INC		950 N QUIDNESSETT RD	7:00 AM- 1:00 AM	NK	RI	800	750	50	1	0	0	1	0	1
84	B	QUONSET TAVERN BY THE GREEN INC		615 CALLAHAN RD	11:00 AM- 9:00 PM	NK	RI	273	228	45	1	0	0	1	1	1
6	B	TUCKER & CASEY CATERERS INC	OAK HILL TAVERN	565 TOWER HILL RD	9:00 AM- 1:00 AM	NK	RI	129	109	20	1	1	0	1	1	1
14	B	WEST PASSAGE BREWING COMPANY LLC		7835 POST RD	8:00 AM- 11:30 PM	NK	RI	111	99	12	1	0	0	0	0	1
59	B	WICKFORD DINER LLC	WICKFORD DINER BAR	95-97 BROWN ST	PENDING	NK	RI	50	50	0	1	0	0	0	0	0
11	B	WING LEY LTD	PAGODA INN	7315 POST RD	11:30 AM- 10:00 PM	NK	RI	85	85	0	1	0	0	0	0	0
53	BL	7610 LLC	SOCRATES PIZZA	7610 POST RD	11:00 AM- 10:00 PM	NK	RI	40	40	0	1	0	0	0	0	0
52	BL	ATM DEVELOPMENT LLC	WIDE WORLD OF INDOOR SPORTS SOUTH	1610 DAVISVILLE RD	8:00 AM- 12:00 PM	NK	RI	50	50	0	1	0	0	0	0	0
61	BL	BAPSANG LLC	BAPSANG	6170 POST RD	11:30 AM- 9:00 PM	NK	RI	24	24	0	1	0	0	0	0	0
81	BL	CHRISTOPHER M MARTIN	PIZZA VIDA	677 BOSTON NECK RD	11:00 AM- 9:00 PM	NK	RI	12	12	0	1	0	0	0	0	0
18	BL	FOUR BROTHERS INC	FOUR BROTHERS PIZZARIA & RESTAURANT	6921 POST RD	11:00 AM- 9:00 PM	NK	RI	75	75	0	1	0	0	0	0	0
55	BL	JIQ CORP	THE PROVISIONER NY DELI & CAFÉ	7669 POST RD	11:00 AM- 8:00 PM	NK	RI	40	20	20	1	0	0	0	0	1
85	BL	K&R II ENTERPRISES INC	THE FROZEN COW- ROY BOYS CLAM SHACK	6710 POST RD	11:30 AM- 9:00 PM	NK	RI	24	0	24	1	0	0	0	0	0
70	BL	MAD GOOD PIZZA INC	NORTH KINGSTOWN CHICAGO PIZZA	7673 POST RD	11:00 AM- 8:00 PM	NK	RI	30	30	0	1	0	0	0	0	0
47	BL	WICKFORD LANES INC		7565 POST RD	VARIES	NK	RI	22	22	0	1	0	0	0	0	0
34	D	ST FRANCIS COUNCIL KNIGHTS OF COLUMBUS	WASHINGTON COUNTY COLUMBUS CLUB	1265 TOWER HILL RD	AS SCHEDULED	NK	RI	144	144	0	1	0	0	1	0	0

ALL TAXES/WATER ASSESSMENTS HAVE BEEN PAID TO DATE *10/11/2023* *S. Amalloy* COLLECTION DEPT.

Tax and Water Assessments Current, Sewer Assessment past due but being appealed. Please see attached email.

5. Class B-Full Alcoholic Beverage License (new)

Motion by Councilor Anderson, seconded by Councilor McCoy and unanimously

VOTED: To open the Public Hearing.

There was no public comment.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To close the Public Hearing.

Motion by Councilor Anderson, seconded by Councilor McCoy and unanimously

VOTED: To approve the application for a Class B-Full Alcoholic Beverage License, expiring on December 1, 2024, by Press LLC, 30 West Main Street, subject to taxes and water paid to date; receipt of a certificate from the RI Department of Health; receipt of a Rhode Island Retail Sales Tax Permit; receipt of a Certificate of Good Standing; receipt of a Certificate of Liability Insurance; receipt of a copy of their Alcohol Server Training Certifications; and compliance with the recommendations of the Police Department, the Fire Marshall, the Planning Department, and the Building Official.

6. Second Reading – Amendment to Chapter 3, Section 3-7 (c), and Section 3-11 (a) and (b)

Motion by Councilor Page, seconded by Councilor McCoy and unanimously

VOTED: To open the Public Hearing.

Melissa Marszalek, 153 Forbes Street, Riverside, stated that she is here as the founder of Shelter to Sofa, which provides training to the areas shelter dogs on their journey home. She stated that she is here to support the North Kingstown Shelter Foundation.

Kathleen Guarino, 139 Summit View Lane, stated that she has no issues with the volunteers that have been working in our shelter for a long time, but she does have a few questions. She asked if we are hiring for the part-time animal control officer who has resigned and moved to another position, who in the Town will oversee this project, and lastly where do the volunteers get their funds from. She also asked if it doesn't work, is there a plan for the Town to step in and pick it back up?

Angela Yingling, 114 S. Angell Street, Providence, stated that she lives in Providence but volunteers at the shelter. She stated that this is a very professional and caring group of volunteers that she works with. She is fully confident in the volunteer staff and is very excited for the future.

Maria Cardi, 24 Duck Cove Farm, stated that she wanted to give a quick overview of how the Foundation began. Nine and a half years ago the other group abruptly got up and left, so she and the rest of the volunteers got together, with a zero balance, and started to raise money, opened a 503C, and started the Foundation. She also stated that they work well with the Police Department.

Ron Cardi, 24 Duck Cove Farm, stated that he believes his wife said it all but would like to add that when the shelter was shorthanded, there were many times they would go feed and check on the animals just to help out. He stated that the volunteers are very dedicated to whatever needs to be done.

Motion by Councilor Anderson, seconded by Councilor Mandel and unanimously

VOTED: To close the Public Hearing.

Motion by Councilor McCoy, seconded by Councilor Page and unanimously

VOTED: To adopt an Ordinance in Amendment of Chapter 3 of the Code of Ordinances, Town of North Kingstown, entitled, "Animals" by amending Section 3-7 (c), entitled, "Impoundment Fees" and Section 3-11 (a) and (b), entitled, "Prohibited areas; complaint procedures; rabid animals", and that this shall constitute the Second Reading thereof.

7. Second Reading – Amendment to Section 9-4

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To open the Public Hearing.

There was no public comment.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To close the Public Hearing.

Motion by President Mancini, seconded by Councilor Mandel and unanimously

VOTED: To amend the Resident Greens Fee Discount (non-league play) as follows:

- | | | |
|--|-------------|------------|
| • 18 holes | from \$7.00 | to \$10.00 |
| • 9 holes | from \$4.00 | to \$5.00 |
| • 9 or 18 holes (12:00 p.m.-3:00 p.m. Saturday, Sunday & Holidays) | from \$4.00 | to \$5.00 |
| • Winter | from \$4.00 | to \$5.00 |

Clerk's note: This amendment was not in the First Reading or the advertisement for the Public Hearing.

Motion by Councilor McCoy, seconded by Councilor Anderson and unanimously

VOTED: To adopt an Ordinance in Amendment of Section 9-4 of the Code of Ordinances, Town of North Kingstown, entitled, "Fee Schedule Enumerated - Table VI - Recreation Department Fees - Golf Course", as amended, and that this shall constitute the Second Reading thereof.

8. Second Reading – Amendment to Chapter 9

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To open the Public Hearing.

Curt Fisher, 104 Phillips Street, asked for clarification as to why we need more rules for this item.

Arthur Hamilton, 65 Rome Street, stated that he owns a second home in North Kingstown. As for the Rhode Island legislation, he is not required to have the house registered with the State as the legislation only requires houses that are being used and leased as BNBs. If this legislation is passed, there will be two different categories and some owners will not be required to do this. He further stated that the only reason he has decided to rent to friends and family is to assist in paying the taxes. He vets those who use his property carefully, he notifies the neighbors when someone is going to use it, and he is a good and responsible neighbor. He also had a retired fire marshal inspect the property to ensure that it was up to code for fire protection. He doesn't see anything in this ordinance regarding fire safety or septic requirements. He isn't aware of any incidents that have happened in North Kingstown in these short-term rentals and if you use a service such as VRBO there are insurance requirements and background checks. The only reason he is aware of this ordinance is because he saw it in the paper and there is a database maintained through the State and asked if they will be notified of the requirements to register with the Town. He also thinks some of this ordinance may be unenforceable if there are no contracts involved.

Laurie Clark, 71 Main Street, stated that she hosts a short-term rental through Air BNB. She urged the Council to take more time to weigh the ramifications of this proposed amendment in terms of short notification or lack of notification to those who may be affected by this amendment so we can better understand the implications of this ordinance. She further stated that for her and others who do short-term rentals, it is not a full-time business but provides a much-needed service to those who have ties to North Kingstown. For example, she hosted North Kingstown family members from California, Hawaii, and Indiana who were here for family weddings or just visiting family. She only has one bedroom and either her or her husband are always present while there are guests there. If you tie the registration to the homestead exemption, you are offering a disservice to the residents. Again, she is requesting the Council to take more time to review this issue.

Motion by Councilor Anderson, seconded by Councilor Page and unanimously

VOTED: To close the Public Hearing.

President Mancini asked the Manager to address some of the comments starting with the rationale for this amendment. Mr. Mollis stated that a few months ago, the town and council received a number of calls regarding short-term rentals/BNBs. We were asked to look at this issue, which we did over a few months and provided a complete report to the Council in August. The report explained that after our research, we felt that we didn't want to take some of the drastic moves that other cities/towns have made in regulating short-term rentals or banning short-term rentals. We thought that if we copied what the state requires by putting together a registry to allow us to know where these short-term rentals are located in the event there is an issue would be a good place to start. The \$100 fee is by no means an attempt to generate revenue as there are approximately 80 short-term rentals. The fee is to justify the administrative burden and work to maintain this registry. He further stated that during his Manager's Report tonight, he will be reporting that at a Manager's/Mayors meeting this topic was discussed as there are a few communities taking a dramatic approach and there is also a short-term rental commission at the state level. He mentioned at this meeting what North Kingstown will be doing and those mayors/managers around the table were impressed with our simple approach and felt it was the smart thing to do at this point until we know what this commission will be recommending. He further stated that he will be attending these state short term rentals commission meetings. He further stated that this is nothing more than what the State is requiring.

Ms. LaFontaine stated that as Mr. Mollis has stated this proposed ordinance is based on what is required by the State and what the Council has discussed. She further stated that in listening to the comments tonight, there are two concerns, one is adding regulations, which we are not, but more of an awareness strategy so the Town has the ability to communicate with the Police Department as well as the Assessor has an accurate data base. The notation on the registry form and the ordinance regarding the homestead exemption is addressed in the ordinance the Council passed a few meetings ago.

Councilor Page stated that for clarification purposes regarding Air BNBs in owner occupied homes, will the registry change the ability for those homeowners to receive the homestead exemption. Mr. Mollis stated the Council passed an amendment to the homestead ordinance that prohibits any homeowner from receiving that exemption if they are renting out a portion of their primary residence on a short-term basis. He further stated the homestead exemption intention is for a dwelling that is fully occupied by the owner. If there is a consideration to allow for short term rentals to receive the homestead exemption, the unintended consequence would open all mixed-use properties to have the ability to receive the homestead exemption. In the end, respectfully these types of operations are a business. Of course, we will defer to the Council, but know that including them or excluding them from the exclusion from receiving the homestead has unintended consequences.

Councilor Page asked if there is an appeal process. Mr. Mollis stated that an appeal would go to the Assessment Board of Review, however based on the ordinance there would be no grounds to approve or grant such an appeal.

Councilor McCoy stated that it appears that we have groups of individuals that either have owner-occupied short-term rentals, or a dwelling, not occupied by the owner which are being used for short term rentals. Based on this, he agrees that the non-owner occupied should not be given the homestead exemption. Mr. Mollis stated that in our professional opinion, if you have someone that lives in a place of business that is considered a mixed use, we would have to amend the homestead ordinance, which would have an impact on the revenues. It would be very difficult to carve out those that are not businesses such as restaurants or a doctor's office where they live.

Councilor McCoy asked if those types of business/residential mixed-use properties are taxed at the residential rate or commercial rate. Mr. Mollis stated that he believes that it would be at the commercial rate, but he will verify that.

Ms. LaFontaine stated that what we are proposing is a starting point and we should review the data in a year or so to determine if we need to do different things for different types of short-term rentals whether it is one room or four units.

Mr. Mollis stated that we agree that one size never fits all and we could carve out the ordinance to address these short-term rentals. He feels that he wouldn't be doing his job if he didn't tell the Council that next month you will have those mixed used properties looking for the homestead exemption.

Councilor Page stated that the homestead exemption is not before the Council tonight. Mr. Mollis stated that is correct.

President Mancini stated that we have had public feedback regarding this, and he thinks we could draw a line for those properties that are strictly residential units whether it is 2 units or more. Mr. Mollis stated that he will get back to the Council, but he believes that 1-4 units is residential and five or more is considered commercial. However, the Doctor or Dentist who lives in their business (mixed use) are charged at the commercial rate, but he will verify that.

Councilor McCoy asked what the process will be to inform those property owners. Ms. LaFontaine stated that we will download those that are registered with the State. Councilor McCoy asked if those people were notified of this ordinance. Mr. Mollis stated no they were not, but we followed the required advertisement guidelines which required advertising the public hearing in the newspaper.

Following a brief discussion, a motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To adopt an Ordinance in Amendment of Chapter 9 of the Code of Ordinances, Town of North Kingstown, entitled, "Licenses, Permits and Miscellaneous Business Regulations" by adding Article XVIII, entitled, "Short Term Rental Registration", and that this shall constitute the Second Reading thereof.

9. Public Comment

Rickey Thompson, 194 Plain Road, asked with regard to the school bonds, will RIDE reimbursements associated with the Middle School and other school projects be used to pay down the school bond. He also asked if Davisville Middle School is demolished, will taxpayers be required to reimburse the State for the millions of dollars in upgrades to that school building.

Richard Welch, 8 Arrow Lane, stated that during the public forum the other night there was a handout that was distributed regarding the new middle school. The handout seems to have been done by the North Kingstown democrats. He stated that he has served on a few committees over the years and feels that some of the information on the handout is not correct. He stated that the size of the school has changed and now there are less students at the schools, but the bond isn't reduced. The two middle schools are reported to be in poor condition, and he disagrees. Please read the reports generated by the School Facilities Building Committee. No one has looked into modification or renovation of the school buildings and still no site has been approved. If Davisville is chosen as the site, busing some students from the south end of town could take an hour each way.

Cindy Warren, 17 Bay Street, stated that she would like the Council to add to the agenda a revision of Section 13-3(a) ordinance which restricts dogs at the town beach, both off season and on season.

Jen Lima, 4 Hickory Drive East, read the following statement:

"I am speaking here tonight in my capacity as the Co-President of Towards an Anti-Racist North Kingstown (TANK). When I learned that the Parades Committee intended to put flags out in downtown Wickford and Veterans Memorial Park for the purpose of marking Columbus Day, I sent an email to the Town Council, the Town Manager, and the head of the Parades Committee. In an attempt to stay within my allotted three minutes, I won't read the whole email but the basic gist of it was that the myth of Columbus discovering America is one steeped in violence and racism, that we live on the unceded land of the Narragansett people, that we can acknowledge the history behind Columbus Day without continuing to celebrate it, and that instead we should be honoring Indigenous People and recognizing that they existed before Columbus arrived and that they are still here today.

I received two responses back from the head of the Parade Committee which included among other things, the following direct quotes: "it has long been a puzzle to me that Columbus took the fall and died, as I recall, penniless while Portugal and Spain hauled in tons of gold and were able to walk away free from any serious retribution" and "Some wags would maintain that Columbus opened the door for the Spanish and Portuguese to introduce western religion and written language to the locals". I hope it goes without saying that those comments are offensive, an example of how white settler colonization thinking still exists today and should have no place in town government.

I am pretty good about reading agendas for town entities and I definitely would have remembered if I had seen something posted about a town Columbus Day event. So, I went back and looked and what I found was an item from their April 26th meeting regarding flagging dates. When I looked at the minutes, it just noted that members agreed to the proposed dates. According to the town Charter, the Veteran's Day and Memorial Day Parades Committee was established to promote, direct and supervise the town's annual Veteran's Day and Memorial Day parades. I support this committee. I have brought my children to these parades since they were babies. I support honoring the veterans' graves with flags throughout the year. I have great respect for members of our military. I do not support the Parade Committee commemorating Columbus Day.

So I am here tonight to ask a few things: (1) whether celebrating Columbus Day falls outside their scope (2) for a list of what those flagging dates are to be made available to the public and (3) that the town reach out to the Tomaquag Museum and get the education necessary so that we can have a meaningful observation of Indigenous People's day next year and moving forward.

Last Monday morning, members of TANK hung fliers on Brown Street with information about why we should celebrate Indigenous People's Day instead of Columbus Day. In the time it took us to walk from Updike Park to the Hussey Bridge, someone had taken them down. We hung them again. Someone did it again. When we left, there were about 20 fliers that we had put up. When I went back at the end of the day (5 p.m. ish), there were 5 left.

Part of TANK's mission statement is "to work to move our Town forward as a community that acknowledges its history, celebrates its potential, and fosters a climate honoring and encouraging diversity, equity and the unique character of all its residents through anti-racist policy reform, education and advocacy". There is clearly still work to be done.

Thank you."

Arthur Hamilton, 65 Rome Street, stated that he is in favor of the expansion of the aquaculture farm in the Hamilton/Rome Point Area. It seems to be working and the water quality seems to be much better.

George Brennan, 70 Boone Street, stated that he would like to thank Nicole LaFontaine and Adam White for the sidewalk and stump grinding projects.

Councilor Anderson read the following statement:

"I was made aware just prior to the event that our parades committee was hosting a Columbus Day celebration. As we've heard tonight, this elicited strong reactions from our community. First, I'd like to acknowledge what I think are two reasonable truths on which we can all agree:

1. That Columbus Day for some has evolved, at least in part, into a celebration of Italian American contributions to our state and to our nation.
2. That Columbus Day, for others, serves as a painful reminder that this real historical person's arrival meant attempted genocide and erasure toward our indigenous peoples.

We stand here tonight on what was historically Narragansett land. It's my sincere hope that as a community we find a better way forward. Indigenous people in this very town were subject to enslavement, loss of land and culture, and more. At the same time, they and their culture endure. It's not "rewriting history" to acknowledge what has always been true. Whether or not we choose to accept, understand, and heal, the facts have always been and will continue to be so.

Last year I attended an Indigenous Peoples Day celebration at our towns own Casey Farm. It was unifying, filled with music, story, celebration, and the beauty of culture sharing. This serves as a powerful example of a better way forward.

The importance of also celebrating our Italian American community is not mutually exclusive to the above goals. I would welcome and appreciate other ways to celebrate our proud history of Italian American contributions throughout our town and state.

Last, I hope that any of us who may represent this town, be it as staff, councilors, or volunteers can do so with a spirit of respect even when we disagree.

Thank you to everyone who commented tonight."

II. CONSENT AGENDA

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To approve Consent Agenda Item Numbers 10 through 20 with the exception of Agenda Item Numbers 14, 15, 16, and 17.

10. Approval of Minutes

VOTED: To approve the minutes of the Regular Meeting of September 25, 2023 as submitted by the Office of the Town Clerk.

11. Tax Abatement List #873

VOTED: To approve Tax Abatement List #873 submitted by Deb Garneau, Tax Assessor, in the amount of \$12,897.71; and it was

FURTHER VOTED: That overpayments, if any, resulting from these abatements are hereby approved for refund by the Tax Collector.

12. Receipt of Donations

VOTED: To accept with gratitude the following donations in the amount of \$40.00:

For: Beechwood Senior Center

To be used for the Mealsite

From: Anonymous \$25.00

For: Beechwood Senior Center

From: Anonymous \$15.00

and it was

FURTHER VOTED: That the Town Council accepts future donations designated for the Holiday Giving Program during the holiday season provided ratification of the receipt of donations is presented to the Town Council as soon as practicable.

13. Authorization for the Town Manager to execute a Memorandum of Understanding

VOTED: To authorize the Town Manager to execute a Memorandum of Understanding between the Town of North Kingstown and the North Kingstown Animal Shelter Support Foundation to formalize day-to-day operations at the Shelter, including but not limited to North Kingstown Police Department/Animal Control Officer responsibilities, Foundation responsibilities, Shelter hours of operation, cost responsibilities, and impoundment fees collected by the Town.

14. Ratification of Town Manager's execution of the Municipal Road and Bridge Program State Funds Local Public Agency Agreement

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To ratify the Town Manager's action in executing the Municipal Road and Bridge Program State Funds Local Public Agency Agreement with the State of Rhode Island acting through its Department of Transportation for State matching funds of thirty three percent (33%) not to exceed \$576,227.00 for various projects as defined in said agreement.

15. Sole Source Purchase

President Mancini stated that he would like more information on this item and asked for a motion to continue this item.

Motion by Councilor Mandel, seconded by Councilor Anderson and unanimously

VOTED: To continue to the Town Council Meeting of October 30, 2023 the approval of the sole source purchase and a one (1) year Contract for the Police Department for six (6) Automatic License Plate Recognition (ALPR) Systems from Flock Group, Inc., 1170 Howell Mill Road, Suite 210, Atlanta, GA 30318, in the amount of \$20,400.00.

16. Award of Bid

Ms. Alyward stated that she was informed by the Finance Director that there was an issue with this bid and requested that this item be tabled as this will need to be rebid.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To table the award of bid for the Water Department for a Fire Hydrant Replacement Project to Atlantic Control Systems, 318 Dry Bridge Road, North Kingstown, RI 02852.

17. Award of Contract

Motion by Councilor Anderson, seconded by Councilor Page and was

VOTED: To award a contract for Community Choice Energy Aggregation Consulting Services to Good Energy LP, 160 Woonsocket Hill Road, North Smithfield, RI 02896, for a two-year term, with a one year option to extend by agreement of the parties.

Councilor Mandel voted in the negative as he feels we need more information.

18. Annual Entertainment License (renewal)

VOTED: To approve to December 1, 2024 the renewal application for an Annual Entertainment License by Lafayette Band Inc., PO Box 855, to hold various indoor and outdoor concerts at various locations, on various dates, 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.

19. Class F Alcoholic Beverage License

VOTED: To approve the application for a Class F Alcoholic Beverage License by Davisville Free Library, 481 Davisville Road, to hold a trivia night on Saturday, November 18, 2023, from 6:00 p.m. - 9:00 p.m., subject to taxes and water paid to date and compliance with the recommendations of the Fire Department, the Police Department, the Building Official, and the Planning Department.

20. Second Bond Reduction

VOTED: To approve the request by Reynolds Farm Residential Development, LLC, for a second bond reduction on Reynolds Farm, Phase 2D, from \$1,156,379.13 to \$769,814.63, in the amount of \$386,564.50.

III. REPORTS

21. Report by the Town Manager

Town Manager Mollis gave the following report:

- The Town Council had asked that we review our findings relative to the comprehensive assessment and report, and corresponding Ordinances, that we presented to the Town Council earlier this year regarding Town Boards & Commissions. The Council requested that we meet with Mr. Ahren Cohen and provide a follow-up recommendation to the Town Council. The suggested direction was to utilize members of the Conservation Commission to form a possible subcommittee to handle the groundwater responsibilities of the Conservation Commission and look at the possibility of filling vacancies within the Conservation Commission with members who were serving on a possible dissolved Groundwater Committee.

We had a very productive meeting with Mr. Cohen. He was extremely helpful and has assisted us in taking a thorough approach to this issue and the direction set by the Town Council. We are scheduling a follow-up meeting with him shortly and it is our goal to report back to the Town Council by the end of the Council's November meeting.

- I attended an event last week where three of our North Kingstown Police Officers were honored with the 2023 R.I. State Grange Award for their courageous actions during mutual aid on the Block Island Ferry. Officers Maiato, Pluta and DeAngelis boarded a Coast Guard Vessel on August 8th of last year to respond to an incident aboard the Block Island Ferry and boarded the Ferry while it was in transit. Their efforts helped stabilize the disturbance, resulted in them making arrests and maintained the peace for the hundreds of other passengers until the Ferry reached the mainland. Congratulations to these 3 officers as they join an entire department which time and time again makes us proud.
- As I mentioned in my last Manager's Report, the Department of Public Works Highway Department removed and relocated the tree in Updike Park that is used for our annual Christmas Tree Lighting festivities. We are in the process of locating a temporary replacement for this upcoming season and then a permanent, healthier replacement to be planted this coming spring.

On a related note, The North Kingstown Chamber of Commerce will be hosting our Annual Tree Lighting Event in Updike Park on Thursday, November 30th. I'll be sure to disseminate additional information as it becomes available.

- Speaking of upcoming events:
 - The Witches Parade in Wickford will be this Saturday, October 21st at 2pm. I'm scheduled to march with East Providence Mayor DaSilva as I'm told the official parade will be moving to other communities over the next few years and East Providence is next on the schedule.
 - The Halloween Horribles Parade is the following Saturday, October 28th at noon in Wickford.
 - And Veterans Day, Saturday, November 11th, will be recognized and remembered with a 10am parade along West Main Street, Brown Street, through Wickford and onto Boston Neck Road and Fairway Drive before concluding ceremonies at North Kingstown High School.
- We have rolled out our 2nd Annual Post Road Winter Wonderland Holiday Decoration Grant Program. Reimbursement funds, up to \$1,000, will be available to Post Road business owners and tenants to decorate their property for the upcoming holiday season. This grant is intended to encourage businesses to participate in decorating their property along this important avenue. Applications can be found on our town website or by contacting our Planning Department.
- As we've seen first-hand, there have been many occasions where residents have come before the Town Council during public comment with their concerns. Our goal has been to address their concerns in the best way possible as this is an important forum where residents reach out to their elected officials. Recently Mr. John Machata came before you, the Town Council, with concerns he had with the condition of the bike trail at Ryan Park. This was not an easy fix as it involved DEM, liability waivers for volunteers, difficult terrain, and other challenges. After numerous internal and external conversations, I set up a meeting with Mr. Machata, our Director of Public Works, Director of Recreation and Director of Parks Department and myself, which was very productive. The result was Mr. Machata and numerous volunteers spreading stone and repairing the trails adjacent to the Rainbow Bridge in Ryan Park which greatly improved the South Trail and North Side Trail. Our thanks to Mr. Machata for his efforts and all the volunteers for their work. I want to thank staff as well for their leadership and partnership in this endeavor. This was a shining example of what we can accomplish by working together despite not being on the same page on day one.

We also will continue with our efforts to improve Ryan Park under the Ryan Park Master Plan, which will take years to complete and require outside funding, as well as the implementation of the Ryan Park Trails Grant we received.

- Rob Zimmer and Mike Donohue made an impressive presentation to the Town Council at your last meeting regarding the Old Town Meeting House. The Town Council directed the Administration to work with both Rob and Mike and provide administrative assistance regarding their efforts in obtaining grant funding for the possible restoration of the Meeting House. One of the driving factors in this goal was for the Meeting House to be included in the National Register.

With the efforts and perseverance of Rob Zimmer and Mike Donohue, Preservation RI issued a determination last week that, while a relocated building is typically not eligible for listing in the National Register, Preserve RI determined that the Town House, despite its relocation, remains a contributing building and will remain listed within the National Register.

I met with both Rob and Mike last week and we discussed next steps regarding funding and the Save America Grant. We will continue to work with them, will be tackling some isolated requests for assistance they have, and I will continue to keep the Town Council up to date.

- Believe it or not, we are beginning the process for the Fiscal Year 2025 Budget Process. Department Heads will begin working on their initial budgets shortly, the first meeting of the Asset Management Commission will take place this week, and we will be adopting a 2024 meeting calendar later on in this evening's Agenda which includes the Budget Dates for FY2025.
- We had our second of two successful and informational forums on our Bond Questions this past Thursday evening in preparation for our November 7th Special Election. In addition to a wealth of information available on both the School & Town Websites, tours being held at our Middle Schools and Public Safety Complex, along with an informational Ad being placed in the local newspapers and an informational mailer being sent out this week, there is also a final opportunity for a tour of the Public Safety Complex this Thursday evening, October 19th beginning at 5pm. There will be tours at 5pm, 5:45pm and 6:30pm with anyone interested just needing to show up at the time of the tour. Pre-registration is not required.
- An update on the Toy Box Project that was implemented at our Town Beach this past Summer. We reached out to the Senior Student who implemented this project to have her come before the Council as you requested so you could thank her, but it appears she has graduated and is away at college and we didn't hear back from her. However, we have removed all of the toys and structures from this project and the Recreation Department is looking forward to implementing this initiative once again next year with some improvements, as it turned out to be very successful and well received this past summer.
- The Rhode Island Airport Corporation will be hosting a virtual public information session for those communities with airports this Wednesday, October 18th at noon. This Zoom session is open to the public and will provide information on project updates for state airports. The link to this meeting can be found on our Town's social media sites.
- I attended the monthly meeting of the Executive Board of the RI League of Cities and Towns this past week.

We had the opportunity to meet with URI President Marc Parlange who gave us a presentation and we discussed various issues including URI playing an active role in engaging cities and towns regarding business engagement, workforce issues, and promoting URI to our students.

We discussed an issue that is important to this Council and that is the State Surplus and our hope that these funds could be used to assist local taxpayers via additional State Aid and the funding of various unfunded mandates. We will be looking to meet with the Governor and legislative leaders on this issue.

And there was a lengthy discussion on the State's Short-term Rental Study Commission and their intent to enact statewide legislation. I will be attending the next meeting of this Commission.

And I will be joining the Executive Board of the League in November as we have been invited to a tour of Electric Boat/General Dynamics.

I also had the opportunity to speak and present at the RI Interlocal Trust's Cyber Seminar/Tabletop Exercise at the Crowne Plaza this past Thursday. It was a great opportunity to share some of the proactive measures we had in place, our experience with the Cyber Attack and the many steps we have taken since. They appreciated hearing a real-life experience to kick off this Seminar.

I will be attending the annual all-day Board of Trustees meeting of the RI Interlocal Trust this coming Thursday. And our next Building Sub-Committee Meeting is tentatively scheduled for November 1st.

- I've been contacted by the U.S. Small Business Administration with a request that we acknowledge their celebration of National Veterans Small Business Week October 30th – November 3rd with a Proclamation declaring National Veterans Small Business Week here in North Kingstown. Because their deadline is October 27th, which is before our next meeting of October 30th, I wanted the Council to be aware that I will be sending a Proclamation. If there are any concerns with this, please feel free to let me know.
- Finally, congratulations yet again to Chelsey Dumas-Gibbs, our Recreation Director, as she has been successful in obtaining one of the RI Trust's Life & Safety Emergency Grants for FY2024. The Town has been awarded \$1,720 to purchase a solar powered, portable, PA system to be used by staff during emergencies at our Town Beach. Chelsey, and the Town will receive this award at the Loss Prevention Luncheon to be held in March of 2024. This is one of many Safety Grants Chelsey has been successful in obtaining over the years.

IV. NEW BUSINESS

22. Coastal Resources Management Council Application Number 2023-09-052

President Mancini stated that he has had a constituent complain that this application and Item 23 will affect the public's access. As there is no one here from the Planning Department or the Harbor Management Commission to address his questions, he would like to defer these items to the next meeting.

Motion by President Mancini, seconded by Councilor Mandel and was

VOTED: To continue to the Town Council Meeting of October 30, 2023 Coastal Resources Management Council Application Number 2023-09-052 to allow Saltbox Sea Farm LLC, 218 Lindley Avenue, to construct and maintain a 3.8 acre expansion of the existing aquaculture farm and channel marked with navigational aids.

Councilor Page and Councilor McCoy voted in the negative.

23. Coastal Resources Management Council Application Number 2023-10-006

Motion by President Mancini, seconded by Councilor Mandel and was

VOTED: To continue to the Town Council Meeting of October 30, 2023 Coastal Resources Management Council Application Number 2023-10-006 to allow Graham Watson, 101 Salisbury Avenue, to construct and maintain a 1.72 acre expansion of the existing aquaculture farm, Rome Point.

Councilor Page and Councilor McCoy voted in the negative.

24. Amendment to the 2023 Town Council Meeting Schedule

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To amend the Town Council Meeting Schedule for 2023 as follows:

Change the Regular Meeting of November 13, 2023 to Monday, November 20, 2023

Change the Regular Meeting of December 4, 2023 to Monday, *December 11, 2023

Cancel the Regular Meeting of December 18, 2023

*Joint Meeting with the School Committee in accordance with RIGL 16-2-21 – Pre-budget Consultation – requires a joint pre-budget meeting between the School Committee and the City or Town Council(s)

25. Adoption of Town Council Meeting Schedule for 2024

After a brief discussion by the Council, President Mancini suggested that the Council provide the Clerk with dates that may conflict with the schedule to see if those dates can be accommodated.

Motion by Councilor Mandel, seconded by Councilor Anderson and unanimously

VOTED: To continue to the Town Council Meeting of October 30, 2023 the adoption of the Town Council Meeting Schedule for 2024.

26. Adoption of Budget Policies and Procedures for Fiscal Year 2024/2025

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To adopt the proposed Budget Policies and Procedures for the Fiscal Year 2024/2025 Town Budget as follows:

- The Town Manager's Budget submitted for consideration must be prepared on the zero-based budgeting method.
- All expenditures passed by the Town Council within the FY2025 Budget shall be noted as such within future Consent Agendas when associated expenditures for items that were approved within the budget are submitted for Town Council approval.
- If a Department Head's budget request calls for an increase of greater than 4% over the previous year (FY2024), the Town Manager shall require documentation to be provided to him/her to show the critical need of expenditure(s) that must be met which results in this increase of greater than 4%.
- The Asset Management Advisory Commission's Capital Improvement Program shall be filed by January 31, 2024.
- The proposed budget shall be based on the needs of the individual Department; in conjunction with the needs and capacity of the overall budget; shall be focused on results and priorities; and shall keep in mind the list of priority initiatives and programs requested from the Town Council.

27. Correspondence

E-mails from:

9/28/2023 & 10/08/2023 – John Machata – Ryan Park & Thank You North Kingstown

9/30/2023 – Kahlia Schmerer – Public Forum #2

10/02/2023 & 10/05/2023 – Kathleen Guarino – Groundwater Committee

10/02/2023 – Ted Green – Wickford Harbor

10/05/2023, 10/06/2023 (2x), and 10/08/2023 – TANK Organization – Columbus Day & Indigenous Peoples Day Observance

10/07/2023 – Kara Martone – Bond Reimbursements

10/08/2023 & 10/10/2023 – Lori Duffy – Upcoming [Columbus Day] Parade

10/09/2023 – Jason Roomes – Roomes Family

10/10/2023 – Cate Brown – Thoughts on North Kingstown Recreation Park Projects

10/13/2023 – Thomas Ardito – Bond Forum

V. ADJOURNMENT

The meeting adjourned at 8:51 p.m.

Jeannette Alyward
Town Clerk