

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 25th day of September, 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 September 25, 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.

I. PUBLIC HEARING

President Mancini stated that the Council will open the Public Hearing for Item Numbers 4 and 5 and after closing the Public Hearing, the Council will vote on each item individually. The same will apply for Item Numbers 6 and 7.

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To open the Public Hearing for Item Numbers 4 and 5.

Nicole LaFontaine, Director of Planning and Development stated that the applicants are requesting an amendment to the Comprehensive Plan because the current zoning is not consistent with the Comprehensive Plan. The amendment to the Comprehensive Plan comes first and then the adoption of an amendment to the zoning map comes next. She further stated that the Planning Commission has provided a positive recommendation for this application.

The Comprehensive Plan amendment would allow these lots on the Future Land Use Map to change from Commercial to Light Industrial. She further stated that these lots were changed to Commercial in 2013 for a specific project and this request is changing it back to Light Industrial.

She further stated that these properties are in the Groundwater Overlay, and this amendment does not affect what can and cannot be done in the Groundwater Overlay. No matter what is proposed on these properties they will have to meet all the requirements of the Groundwater Overlay.

Ms. LaFontaine stated that the applicants are present tonight if the Council has any questions.

Councilor McCoy asked if there are any notice requirements to other towns that may abut this property. Ms. LaFontaine stated that the applicant is required to send notice to all of the abutters within 200 feet of the property.

There was no public comment.

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To close the Public Hearing for Item Numbers 4 and 5.

4. Second Reading – Amendment to the North Kingstown Comprehensive Plan

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To adopt an Amendment to the Comprehensive Plan by amending the Future Land Use Map relating to the future land use designation of Assessor's Plat 177, Lots 29 and 30, from Commercial (C) to Light Industrial (LI) (Uncodified Ordinance); and that this shall constitute the Second Reading thereof.

5. Second Reading – Amendment to Section 21-362 and 21-363 (Plat 177, Lots 29 and 30)

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To adopt an Ordinance in Amendment of Section 21-362 of the Code of Ordinances, Town of North Kingstown, entitled, “Zoning Map” and Section 21-363, entitled, “Assessor’s Plats”, Assessor's Plat 177, Lots 29 and 30 (Frenchtown Road), and that this shall constitute the Second Reading thereof.

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To open the Public Hearing for Item Numbers 6 and 7.

Nicole LaFontaine, Director of Planning and Development stated that this item also requires a Comprehensive Plan amendment prior to the zone change. She further stated that the Planning Commission gave a positive recommendation to this application and is requiring a Conservation Easement be approved by the Planning Department and Solicitor which shall be recorded.

There was no public comment.

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To close the Public Hearing.

6. Second Reading – Amendment to the North Kingstown Comprehensive Plan

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To adopt an Amendment to the North Kingstown Comprehensive Plan by amending the Future Land Use Map relating to the future land use designation of Assessor's Plat 130, Lot 65, which is also known as 3760 Quaker Lane, from Low Density Residential (LDR) and Commercial (C) to Commercial (C), and that this shall constitute the Second Reading thereof.

7. Second Reading - Amendment to Section 21-362 and 21-363 (Plat 130, Lot 65)

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To adopt an Ordinance in Amendment of Section 21-362 of the Code of Ordinances, Town of North Kingstown, entitled, “Zoning Map” and Section 21-363, entitled, “Assessor’s Plats”, Assessor's Plat 130, Lot 65 (3760 Quaker Lane), and that this shall constitute the Second Reading thereof.

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: That a Conservation Easement, approved by the Planning Department and Town Solicitor be recorded and shall have bounds and markers installed in place identifying the boundaries of said easement.

II. SPECIAL BUSINESS

8. HistWick Board Members – Discussion concerning the Old Town Meeting House

HistWick Board Members Rob Zimmer and Mike Donohue thanked the Council for the opportunity to speak tonight regarding the Old Town Meeting House.

Mr. Zimmer stated that the Old Town House on Phillips Street is the fifth oldest extant Rhode Island building constructed and used solely for the purpose of conducting public affairs; this list includes the Old Colony House in Newport (1736-9), the Old State House in Providence (1762), the former Kings County Courthouse/now Kingston Library (1775), and the former Kent County Courthouse/now East Greenwich Town Hall (1805).

Today the building does appear diminutive and somewhat forlorn, but its simplicity stems from the fact that residents of North Kingstown's villages and farms, like many early Americans, spent most of their time raising their families and earning a living. Governance structures were rare, money to build them dear. Thus, early small-town public buildings, to the degree they existed at all, were spare but functional.

The beautiful simplicity of the Old Town House is absolutely worth preserving.

Mr. Donohue stated with this history in mind, we come to you this evening with a pledge, and a promise. Over the last three years, Historic Wickford, Inc. (HistWick) has held several successful fundraising activities, most notably the home and garden tours that occurred in Wickford during the summers of 2021 and 2023.

HistWick's most important mission is to preserve and protect the historic heritage of the village and to share with residents and visitors alike the value and importance of that heritage, particularly in the homes and other structures that are the core of the Village of Wickford and indeed the foundation of the Town of North Kingstown.

To that end, with the financial resources we have gathered through our programs, this evening we pledge up to \$40,000 to the Town of North Kingstown toward the renovation and restoration of the Old Town House for real community use.

This \$40,000 pledge is contingent upon two conditions: 1) private citizens commit 1:1 matching dollars to the HistWick pledge and 2) the Town and interested parties raise the additional funds needed to reach the full \$500,000 estimated cost to bring the building to code.

We have already received pledges totaling \$18,500 from our Board of Directors and will initiate our outreach to our membership and, indeed, all of North Kingstown, in the coming days to reach this ambitious goal of \$80,000 in private funds for the project. These funds can then be added to the original \$130,000 authorized by the Town Council in 2019 for work on the building for a total of \$210,000 toward the \$500,000 goal.

Our promise is that with your approval and with the support of our Town officials and staff we will aggressively approach additional sources, both local and national, for grants and other revenues that will match the commitments from HistWick and the Town of North Kingstown to complete the project successfully.

Mr. Zimmer stated that next year we celebrate the 350th Anniversary of the founding of North Kingstown. Over the course of the last 217 years, the Old Town House served not only as the original government structure for the community but after the construction of the Boston Neck Road Town House in 1888, it served for many years as the home of the Grand Army of the Republic and for the Veterans of Foreign Wars.

In closing, what exactly are Historic Wickford and 160+ members asking of the Town Council tonight? We are not asking the Town to commit any more funds than it has already authorized for this building. We are asking the Town to take a leadership role to raise additional funds through federal, state, and/or Foundation sources such that the full \$500,000 is available to get this building restored. We are asking the Town to make this work a key goal of our 350th Anniversary, an anniversary that ought not to pass without getting the entirety of these funds committed and put to work saving this original Town assembly place.

President Mancini stated that this was an excellent presentation and thanked Mr. Zimmer and Mr. Donohue. President Mancini asked Mr. Mollis how much money was authorized for this building. Mr. Mollis thanked Mr. Zimmer and Mr. Donohue for their diligence and efforts in trying to preserve this building and told them that it has been a pleasure working with them. Mr. Mollis further stated that several Councils ago had authorized the use of \$130,000 of fund balance in that fiscal year for the restoration of the meeting house. We did go out to bid and the bids came back much higher than we ever anticipated. It is his opinion and understanding that should the Town want to provide \$130,000 to this project, this Council would need to appropriate that once again. We could also make a supplement to the budget, do an appropriation from our fund balance, or put it in the FY2025 budget. Any of these options would require Council approval.

President Mancini stated that is fine with him as it reaffirms what a prior Council did, and he feels that we need to keep our word.

Councilor McCoy asked if this building was originally built using public funds. Mr. Donohue stated that he believes so and from their research this building is the fifth oldest town building in the state.

Councilor McCoy asked if we have an estimate of how much it will cost to have this building habitable and up to code. Mr. Donohue stated that he spoke with Michael Viveiros several months ago and he estimated \$500,000. They have contacted another organization to assist with what the building codes need to be adhered to. He further stated that they will be meeting with Historic Preservation tomorrow to gain their opinion on the project.

Councilor Mandel stated this was a great presentation. Councilor Mandel asked where this building would be ultimately located and what it would be utilized for. Mr. Zimmer stated that there has been discussion about moving the building, but no parcel of land has been identified. Where it currently sits is not ideal as it is in the flood plain. This is something the Town Council would have to decide. As far as end use is concerned, the HistWick Board of Directors is recommending that it be used as the North Kingstown Historic Society, as well as community space and a home for Veterans Organizations. With past fundraising efforts, the end use was not well defined, and they were unable to raise funds. They believe that it needs to be a concise use. Councilor Mandel stated that this makes a lot of sense and suggested that a new location be identified.

Councilor Mandel stated that we still have a work in progress at 55 Brown Street and we all hope Eve Clulow is successful in bringing that project to the finish line. In the event that does not happen, he asked which would be the more important building to maintain. Mr. Zimmer stated that it is very difficult to ask the people who belong to HistWick to choose between these buildings, but he would say that he would want to walk before he runs, and we would need to form a legitimate 501(3)(c). He cannot believe that North Kingstown is the only municipality who does not have a Historic Society.

President Mancini asked if Staff has the capacity to assist with this project in applying for various grants and federal dollars. Mr. Mollis stated that yes, we can do that. Mr. Zimmer stated that is important as the Town owns the building and the Town has to be the face of this project.

The Council thanked Mr. Zimmer and Mr. Donohue for their work on this project and asked them to keep the Council apprised of the project.

9. Public Comment

President Mancini wished everyone who celebrates Yom Kippur a happy holiday.

Councilor McCoy stated that the Gold Star Mother and Family Week starts Sunday. North Kingstown has several gold star families and he just wanted to remember them.

There was no public comment.

III. 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 11, 12, 13, 16, and 17.

10. Approval of Minutes

VOTED: To approve the minutes of the Regular Meeting of September 11, 2023 as submitted by the Office of the Town Clerk.

11. Receipt of Donation

Motion by Councilor Anderson, seconded by Councilor Mandel and unanimously

VOTED: To accept with gratitude the donation of a new Whirlpool 20.5 Cu. Ft. Top Freezer Refrigerator given by the North Kingstown Flag Football League to be used in the McGinn Park Concession Stand, for a total value of \$773.98.

12. Authorization to apply for the 2023 RI Capital Projects Fund – Multipurpose Community Facilities Municipal Grant

Motion by Councilor Mandel, seconded by Councilor Anderson and unanimously

VOTED: To authorize the Recreation Department to apply for the 2023 RI Capital Projects Fund - Multipurpose Community Facilities Municipal Grant for the Indoor Recreation Facility.

13. Authorization to apply for the 2023 RIDEM Green Space Outdoor Recreation Grant

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To authorize the Recreation Department to apply for the 2023 RI Department of Environmental Management Green Space Outdoor Recreation Grant for the renovation of Yorktown Park.

14. Award of Bid

VOTED: To award the bid for a construction contract for the Department of Public Works for the Town Beach Bandstand Wave Beam Roof Structure Replacement to South County Post & Beam, 521 Liberty Lane, West Kingston, RI, in the amount of \$184,800.00; and it was

FURTHER VOTED: To authorize a construction contingency of 15% (\$27,720.00) to be managed by the Department of Public Works to cover any unforeseen conditions or maintenance needs related to the project.

Funding is from Restricted Capital Reserve Account #30010070-531101 as approved by the Council at their August 16, 2023 Meeting (Agenda Item 19).

15. Award of Bid

VOTED: To award the bid for the Department of Public Works for Gasoline, Diesel (all types), and No. 2 Heating Oil through the City of Providence bid award, for Participating Municipalities of the Rhode Island Municipal Purchasing Agents Association, to Peterson Oil Services, Inc., 75 Crescent Street, Worcester, MA 01605, through June 30, 2024, for the following incremental pricing:

- \$.17 per gallon for Unleaded
- \$.15 per gallon for Diesel (all types)
- \$.33 per gallon for No. 2 Heating Oil

Funding will be from FY2024 Budget Town Utilities/Gasoline Account - Multiple Departments.

16. Letter of Resignation

Motion by Councilor McCoy, seconded by Councilor Mandel and unanimously

VOTED: To accept the resignation from Eric Wishart, resigning from the Planning Commission, and that the Town Council President send a letter of appreciation to him for the dedicated service he gave to the Town of North Kingstown; and it was

FURTHER VOTED: To direct the Town Clerk to advertise the vacancy on the Planning Commission.

17. Letter of Resignation

Motion by Councilor McCoy, seconded by Councilor Mandel and unanimously

VOTED: To accept the resignation from Eric Wishart, resigning from the Quonset Development Corporation Board of Directors, and that the Town Council President send a letter of appreciation to him for the dedicated service he gave to the Town of North Kingstown.

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

VOTED: That this shall constitute the First Reading of 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 be advertised and referred to the Regular Town Council Meeting of October 16, 2023 for Second Reading and Consideration of Adoption.

19. First Reading – Amendment to Section 9-4

VOTED: That this shall constitute the First Reading of 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", and that this be advertised and referred to the Regular Town Council Meeting of October 16, 2023 for Second Reading and Consideration of Adoption.

20. First Reading – Amendment to Chapter 9

VOTED: That this shall constitute the First Reading of 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 be advertised and referred to the Regular Town Council Meeting of October 16, 2023 for Second Reading and Consideration of Adoption.

IV. REPORTS

21. Report by the Town Manager

Town Manager Mollis gave the following report:

- The North Kingstown Fire Department and North Kingstown Police Department hosted an Open House at the Public Safety Complex this past Thursday and Saturday. My thanks to the Command Staffs of both Departments for coordinating this guided tour for any residents interested in participating prior to the upcoming election. There will be additional opportunities on Thursday, October 19th at 5pm, 5:45pm, and 6:30pm as well as Saturday, October 14th at 8am, 8:45am, and 9:30am. Anyone interested just needs to show up at the time of the tour. Pre-registration is not required.

- The first of two public forums on the two Bond Questions scheduled for the November 7th Special Election will be held tomorrow, September 26th at the North Kingstown High School Auditorium at 5:30pm. The forum will begin with a presentation and Q & A on the proposed Recreation Center, followed by a presentation and Q & A on the proposed Public Safety Complex, and concluding with a presentation and Q & A on the proposed Middle School Building Project. The second forum will take place on Thursday, October 12th here in the Town Hall Council Chambers at 5:30pm with the same Agenda.
- The North Kingstown Splashpad at Wilson Park closed for the season this past weekend. We are in the process of making improvements during the off season and will be reopening the Splashpad sometime around Memorial Day, 2024.
- The R.I. Blood Center conducted a successful Blood Drive at our Community Center two weeks ago. They had 24 donations which they project will save up to 72 lives. Their next Blood Drive here in North Kingstown is scheduled for Monday, January 29th of next year. This has been a very successful partnership over these past few years.
- As a result of the tragic car carrier fire in New Jersey back in July, there has been a focus on the safety of these Automobile Transport Ships in recent months. Since 2015, there have been 11 fires aboard Automobile Transport Ships which has resulted in loss of life and billions of dollars. As a result, under the leadership of Chief Scott Kettelle, the North Kingstown Fire Department has been meeting with the U.S. Coast Guard and representatives of the Port of Davisville on training and preparedness. The Port of Davisville has multiple car ships arriving weekly and we are ensuring that our personnel have the needed training to deal with an incident should one occur. Chief Kettelle is also establishing a statewide shipboard firefighting for land-based firefighters' curriculum to be taught at the R.I. Fire Academy with a goal of March, 2024 for the first class. Chief Kettelle has also been active in seeking funding for the necessary training and coordinating a tabletop with the U.S. Coast Guard over the next 6 – 9 months directly related to our response to an incident at the Port of Davisville.
- We received an update from RIDOT last week regarding the Wickford Roundabout. For safety reasons, they have decided the roundabout will be built using raised traffic islands instead of the planned stamped concrete. This is in line with their original plan for an island no more than 3 feet in height which could be traveled upon by large public safety vehicles. They will be starting the final design in the next couple of months, and they haven't advised on our request to schedule this in the Spring of 2024 or Spring of 2023. I will continue to keep you up to date.
- Moody's issued their Annual Issuer Comment Report for North Kingstown which we reviewed with our Financial Advisor. Our Financial Advisor felt this was a very positive report with a continued Aa2 rating, improving trends since 2019, a tax base and full value per capita that is very strong, cash and available reserves up since 2019 and leverage & fixed costs stable. I have acknowledged this report with Moody's and we will continue to stay in touch with them.
- Finally, as I've updated you previously, we have started our application for the Municipal Road Fund Program. While we have submitted a request for \$460,000 of road work which would result in a grant of \$150,000, our overall goal is to submit approximately \$2 million worth of projects through Fiscal Year 2025 which would result in us hopefully receiving our maximum allocation of \$576,227. While I will keep you up to date, this will also be an item of discussion during our Fiscal Year 2025 budget deliberations as well.

V. NEW BUSINESS

22. Audit Committee - Appointment

There were no applicants. The Council directed the Clerk to readvertise the vacancy of one (1) At-Large Representative to the Audit Committee.

23. Conservation Commission - Appointment

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To reappoint Mary Kelly, 14 Plum Point Road, Saunderstown, to the Conservation Commission to October 1, 2026.

24. Economic Development Advisory Board - Appointment

There were no applicants. The Council directed the Clerk to readvertise the vacancy of one (1) member to the Economic Development Advisory Board.

25. Information Technology Advisory Committee - Appointments

Motion by Councilor Mandel, seconded by Councilor Page and unanimously

VOTED: To appoint Jason Covitz, 141 Wickford Point Road, Alternate Expert Member, to the Information Technology Advisory Committee to March 1, 2024.

The Council directed the Clerk to readvertise the appointment of one (1) Alternate At-Large Member.

26. Library Board of Trustees - Appointments

Motion by Councilor Page, seconded by Councilor Anderson and unanimously

VOTED: To reappoint the following two (2) members to the Library Board of Trustees to October 1, 2026:

Varuna Abeywardane, 75 Dawn Marie Court
Thomas Sgouros, 15 Boston Neck Road

27. Personnel Board - Appointment

Motion by Councilor Page, seconded by Councilor Mandel and unanimously

VOTED: To appoint Ellen Balasco, 195 Deer Ridge Drive, Saunderstown, to the Personnel Board to March 1, 2024 to fill the unexpired term of Lawrence Mandel.

28. Sewer Appeals Board - Appointments

Motion by Councilor Page, seconded by Councilor McCoy and unanimously

VOTED: To reappoint the following five (5) members to the Sewer Appeals Board to October 1, 2026:

Peter Healey, 180 Pinecrest Drive
Dianne Izzo, 62 Poplar Avenue
Randy Wietman, 40 Sanford Avenue
Ahren Cohen, 400 Forge Road, Alternate Member
Patricia Siegmund, 10 Kent Street, Alternate Member

29. Veterans Day & Memorial Day Parades Committee - Appointments

There were no applicants. The Council directed the Clerk to readvertise the vacancies of two (2) members to the Veterans Day & Memorial Day Parades Committee.

30. Wickford Advisory Committee – Appointments

Motion by Councilor Mandel, seconded by Councilor Anderson and was

VOTED: To reappoint Suzanne Mancini, 61 Main Street, Wickford Village Business Owner, to the Wickford Advisory Committee to October 1, 2026.

The Council directed the Clerk to readvertise the vacancies for a Wickford Village Business Owner and two (2) Wickford Village Residents.

President Mancini recused himself as his wife Suzanne is an applicant.

31. Quonset Development Corporation Board of Directors - Appointment

President Mancini stated that due to the resignation of Eric Wishart, the Council needs to reappoint someone to the QDC Board of Directors, and Councilor Mandel has indicated that he would like to serve.

Motion by President Mancini, seconded by Councilor McCoy and unanimously

VOTED: To appoint Councilor Lawrence C. Mandel, 54 Rome Street, to the Quonset Development Corporation Board of Directors to December 31, 2024 to fill the unexpired term of Eric Wishart.

32. Correspondence

E-mails from:

09/13/2023 – Holly Quinn – Upcoming Forums

09/13/2023 – Lydia Hanhardt – Bond Question

09/13/2023 – Margaret Kerr – Energy Lecture Series at URI

09/15/2023 – Holly Quinn – Middle School Bond Question

09/19/2023 – Jason Roomes – NK 350th Anniversary – The Rome, Roome, Roomes Family History

09/20/2023 – Donna Hutchinson – ProJo Article on Short Term Rentals

09/20/2023 – Donna Hutchinson – Leadership in a Vacuum

09/23/2023 – Donna Hutchinson – Move NK Safety Complex Here?

09/24/2023 – Shelter to Sofa – Support Letter for North Kingstown Animal Shelter Support Foundation

09/24/2023 – Jacqueline Baffoni – Support Letter for North Kingstown Animal Shelter Support Foundation

09/24/2023 – Dennis Tabella – Support Letter for North Kingstown Animal Shelter Support Foundation

09/25/2023 – Jennifer Lima – Banned Book Week Resolution

09/25/2023 – Rob Zimmer – Background Documents for HistWick Announcement before the NKTC

33. Executive Session

Motion by Councilor Anderson, seconded by Councilor 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 (Six Month Update – Town Manager’s Evaluation of March 2023)

MEETING RECONVENED AT 9:14 P.M.

Motion by Councilor Mandel, seconded by Councilor Anderson and unanimously

VOTED: To seal the minutes of the Executive Session.

VI. ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Jeannette Alyward
Town Clerk