

NORTH SMITHFIELD TOWN COUNCIL
83 GREENE STREET, NORTH SMITHFIELD
PARTICIPATION FOR THIS MEETING WILL BE IN-PERSON ONLY

August 17, 2026
6:45 P.M.

The Council will convene in open session at 6:45 p.m. and is expected to vote immediately to enter Executive session. Open session, including Open forum, will resume at approximately 7:30 p.m.

THE ORDER OF AGENDA ITEMS ARE SUBJECT TO CHANGE

The meeting will also be livestream. Please join the meeting (viewing only) from your computer, tablet, or smartphone by clicking on this link:

https://www.youtube.com/channel/UCFgw5KxL950ZgZ_DKz8B-MQ

or go to the North Smithfield YouTube page - [North Smithfield Town Meetings](#)

*If technical difficulties occur during the livestream the above specified meetings will resume as scheduled

Documents related to the meeting will be posted on the Town Council's page of the Town's website on Monday, August 17, 2026, at 10:00 a.m., see link here: <https://www.nsmithfieldri.gov/>

FOR BOARDS/COMMISSIONS VACANCIES: <https://www.nsmithfieldri.gov/412/Vacancies>

FOR ONLINE APPLICATIONS: <https://www.nsmithfieldri.gov/FormCenter/Boards-Commissions-5/Application-for-Board-Commission-46>

- I. OPEN MEETING-PRAYER-PLEDGE
- II. ROLL CALL
- III. EXECUTIVE SESSION (CLOSED SESSION)
 - A. Discussion by Council pursuant to R.I. Gen. Laws § 42-46-5(a)(2) sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation:
 1. Consideration of Approval of Memorandum of Understanding and Settlement Agreement
Discussion by Council, Vote, or Other Action regarding approval of the Memorandum of Understanding and Settlement Agreement that relates to and resolves the litigation captioned *Pound Hill Realty, LLC and Material Sand and Stone Corp. v. Town of North Smithfield, et al.*, C.A. No. PC-1999-1811, which litigation relates to, and was the subject of mediation together with, the issues raised in the Petition/Application for Amendment to the Zoning Ordinance, including the proposed Text Amendment and Zoning Map Amendment, filed by Pound Hill Realty, LLC, c/o 618 Greenville Road, North Smithfield, Rhode Island 02896, owner of certain real property located at 14 Pine Hill Road, off Old Oxford Road, Pound Hill Road, and Pine Hill Road, more particularly identified as Town of North Smithfield Tax Assessor's Plat 7, Lot 38, consisting of approximately 89.44 acres
- IV. OPEN SESSION — Discussion by Council, Vote, or Other Action
 1. Disclosure of Executive Session.
Announcement and disclosure of any votes taken in Executive Session pursuant to R.I. Gen. Laws § 42-46-4(b), and Vote or Other Action on whether to seal the minutes of the Executive Session pursuant to R.I. Gen. Laws § 42-46-7(c).
 2. Approval of Memorandum of Understanding and Settlement Agreement
Discussion by Council, Vote, or Other Action to Approve the Memorandum of Understanding and Settlement Agreement that relates to and resolves the litigation captioned *Pound Hill Realty, LLC and Material Sand and Stone Corp. v. Town of North Smithfield, et al.*, C.A. No. PC-1999-1811, which litigation relates to, and was the subject of mediation together with, the issues raised in the Petition/Application for Amendment to the Zoning Ordinance, including the proposed Text Amendment and Zoning Map Amendment, filed by Pound Hill Realty, LLC, c/o 618 Greenville Road, North Smithfield, Rhode Island 02896, owner of certain real property located at 14 Pine Hill Road, off Old Oxford Road, Pound Hill Road, and Pine Hill Road, more particularly identified as Town of North Smithfield Tax Assessor's Plat 7, Lot 38, consisting of approximately 89.44 acres; and further, to authorize the Town Administrator to execute the Memorandum of Understanding and Settlement Agreement on behalf of the Town, and to authorize designated Outside Counsel,

Timothy J. Robenhymmer, Esq., to take all steps necessary to effectuate the same, including submission of the agreed Judgment to the Superior Court for entry and recording of the Judgment in the Land Records of the Town.

3. Procedural History — For the Record (No Action).

Matter: Memorandum of Understanding and Settlement Agreement (the "MOU") resolving *Pound Hill Realty, LLC and Material Sand and Stone Corp. v. Town of North Smithfield, et al.*, C.A. No. PC-1999-1811, mediated together with the Petition/Application for Amendment to the Zoning Ordinance, including the proposed Text Amendment and Zoning Map Amendment (Assessor's Plat 7, Lot 38).

The Council opened a public hearing on the Petition/Application on February 18, 2025, and continued it on March 3 and March 17, 2025, October 6, 2025, January 5, 2026, and June 15, 2026.

Related proceedings:

- December 11, 2025 - Planning Board met; its Memorandum was forwarded to the Council,
- December 15, 2025 - Council directed the administration to pursue alternatives to the zone change, including settlement or mediation.
- December 31, 2025 - Mediation Agreement effective date.
- January 5, 2026 - Council amended the mediation agreement to require Council approval of any mediation result and submission to the court as a consent judgment.
- March 2, 2026 - Council approved and ratified the mediation agreement and authorized payment of 50% of the mediator's \$450 hourly rate (Hon. Frank X. Flaherty, Ret.).
- May 4 – June 8, 2026 - Council reviewed the MOU, found it unacceptable as presented, returned it with comments through counsel, and provided public status updates.
- June 15, 2026 - Mediation completed; Applicant withdrew the Petition/Application, subject to § 340-5.27 (Repetitive Petitions).
- July 20, 2026 - Council accepted the withdrawal subject to § 340-5.27 (Repetitive Petitions), reviewed the MOU as revised, and continued consideration of the MOU to August 3, 2026.
- August 4, 2026 – Outside Counsel, Timothy J. Robenhymmer, Esq., attended Pretrial Conference with Judge McBurny.

The MOU does not bind the Town until the Council votes to approve it; the approved terms are entered as a Superior Court Judgment and recorded in the Land Records

V. OPEN FORUM – PURSUANT TO 42-46-6 (d) (Maximum 3 minutes per person)

VI. A. NORTH SMITHFIELD TOWN COUNCIL SITTING AS BOARD OF LICENSING –

1. PUBLIC HEARING — AUTOMOBILE JUNKYARD / JUNK AND SECONDHAND DEALER LICENSE (Chapter 204)

Public hearing on the application of D and D Auto Recycling LLC for a license to operate and maintain an automobile junkyard located at 1859 Pound Hill Road / Plat 010, Lot 121.

- a. Open public hearing
- b. Report of the Zoning Inspector (approval/disapproval per § 204-3B)
- c. Presentation by applicant
- d. Public comment; receipt of any written objections filed under § 204-4B (200-foot abutters)
- e. Close public hearing
- f. Discussion by Council, vote, or other action on the license application, including any conditions (e.g., six-foot screening/fencing acceptable to the Council per § 204-5)

VII. DISCUSSION BY COUNCIL, VOTE, OR OTHER ACTION ON PAYMENT OF BILLS

VIII. DISCUSSION BY COUNCIL, VOTE, OR OTHER ACTION ON CONSENT AGENDA

All items listed in this section are considered in one motion. There will be no separate discussion of these items unless a Councilor requests, in which event the item will be removed from the consent agenda.

A. Town Council Minutes of July 20, 2026

B. Communications

1. Animal Control Monthly Report for July 2026
2. NSF&R Monthly Report for July 2026
3. NS Municipal Court Monthly Report for July 2026
4. NSPD Monthly Report for July 2026

- IX. OLD BUSINESS
 - A. Discussion by Council, Vote, or Other Action on Salary and Wage Ordinance – Mr. St. Onge
 - 1. 2nd Reading
 - B. DISCUSSION BY COUNCIL, VOTE, OR OTHER ACTION ON STATUS/PROGRESS REPORT ITEMS
 - 1. North Smithfield Police Station Renovations Update
 - a. Project Financial Update
 - b. Recommendation for FF&E
 - c. Change Order #2
 - C. DISCUSSION BY COUNCIL, VOTE, OR OTHER ACTION ON COMMUNICATIONS FROM TOWN ADMINISTRATOR SCOTT GIBBS
 - 1. Update on Grants
- X. NEW BUSINESS
 - A. Discussion by Council, Vote, or Other Action on Appointments to Town Boards/Commissions
 - 1. Appointment to the Public Safety Commission (Appt by TC) for a completion of a 3-year term from 12/1/2025 - 1/30/2028
 - 2. Discussion by Council, Vote, or Other Action on Department of Public Works Request for Award of Bid – Pacheco Park Field Lighting Bid – Mr. Pendergast
- XI. OPEN FORUM – PURSUANT TO 42-46-6 (d) (Maximum 3 minutes per person)
- XII. ADJOURN

Individuals requesting special assistance should contact the Town Clerk's Office at 767-2200, ext. 504 seventy-two (72) hours in advance of the meeting date.
Agenda posted August 13, 2026