

SMITHFIELD TOWN COUNCIL MEETING

OPEN SESSION

TUESDAY
January 17, 2023



**SMITHFIELD TOWN COUNCIL MEETING
SMITHFIELD TOWN HALL
COUNCIL CHAMBERS
64 FARNUM PIKE
TUESDAY, JANUARY 17, 2023
6:30 P.M.**

6:30 P.M. EXECUTIVE SESSION

Convene into executive session to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Paul Izzo, Patty Maiorisi, and Cynthia Roberts for possible appointment to a Town board or commission

7:00 P.M. AGENDA

- I. Regular meeting reconvened at 7:00 p.m.
 - Announce any executive session votes required to be disclosed pursuant to Rhode Island General Laws, Sec. 42-46-4.
- II. Prayer
- III. Salute to the Flag
- IV. Emergency Evacuation and Health Notification
- V. Presentations: None
- VI. Consider, discuss and act upon nomination and election of Town Council Vice President.
- VII. Minutes:
 - A. Move that the minutes of the January 3, 2023 open session meeting be approved as recorded.
- VIII. Consider, discuss and act upon the following possible appointments and reappointments:
 - A. Planning Board Solicitor reappointment with a term expiring in January of 2025.
 - B. Tree Warden reappointment with a term expiring in December of 2023.
 - C. Budget and Financial Review Board appointment with a term expiring in January of 2025.
 - D. Capital Committee appointments (2).
 - E. Camp Shepard Subcommittee appointment.
 - F. Council Liaison appointment to the Land Trust.

- G. Council Liaison appointment to the Affordable Housing Advisory Board.
 - H. Council Liaison appointment to the Water Supply Board Advisory Commission.
 - I. Council Liaison appointment to the Human Services Department.
- IX. Public Hearings:
- A. Continue a public hearing to consider and act upon amendments to the Code of Ordinances to adopt Chapter 119 entitled “Prohibited Consumption of Cannabis on Town-Owned Property” co-sponsored by Councilman Michael P. Iannotti and Councilwoman Rachel S. Toppi.
 - B. Conduct a public hearing to consider and act upon amendments to the Code of Ordinances to amend Chapter 118 entitled “Alcoholic Beverages”, Article II “Licenses”, Section 118-2 “Number of Licenses”.
 - C. Schedule a public hearing on February 21, 2023 to consider and act upon adopting amendments to the Zoning Ordinance and Map.
 - D. Continue a public hearing from December 20, 2022 to consider, discuss and act upon approving the renewal of the Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Good Standing from the RI Division of Taxation.

INTOXICATING BEVERAGE LICENSE RENEWALS 2022-2023

CLASS B-VICTUALLER BEVERAGE LICENSES

- 1. Copperfield’s Inc. d/b/a “Copperfield’s Bar & Grill”, 9 Cedar Swamp Road (approved for outdoor bar service)
- E. Conduct a public hearing to consider, discuss and act upon approving the renewal of the Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Good Standing from the RI Division of Taxation.

INTOXICATING BEVERAGE LICENSE RENEWALS 2022-2023

CLASS B-VICTUALLER BEVERAGE LICENSES

- 1. TMG Trap North, d/b/a “The Trap North Brew Pub & Grille” 10 Smith Avenue (approved for outdoor bar service)
- F. Conduct a Show Cause Hearing on Tuesday, January 17, 2023 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Liquor Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. DLA, LLC d/b/a “Parma Ristorante”, 266 Putnam Pike, Unit 1
2. Rebel Alliance Group, LLC d/b/a “Bistecca Chop House”, 332 Farnum Pike
3. Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C
4. Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1

G. Conduct a Show Cause Hearing on Tuesday, January 17, 2023 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Victualling Only Licenses, due to non-renewal or non-compliance with the conditions of renewal:

1. Ivy and Lace Bake Shop, LLC d/b/a “The Ivy and Lace Bakeshop”, 546 Putnam Pike
2. JPC Pizza, Inc. d/b/a “Ronzio Pizza”, 1150 Douglas Pike
3. Jason Marino d/b/a “Juice Bar & Co.”, 266 Putnam Pike
4. Melissa Carbone d/b/a “Bree’s Deli”, 115 Pleasant View Avenue #1
5. The Level 10 Nutrition Club, LLC, d/b/a “The Level 10 Nutrition Club”, 10C Cedar Swamp Road
6. The Sevigny Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike

X. Licenses:

A. Consider, discuss and act upon approving the renewal of two (2)

Entertainment License, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. TMG Trap North d/b/a “The Trap North Brew Pub & Grille”, 10 Smith Avenue
2. Copperfield’s Inc. d/b/a “Copperfield’s Bar & Grill”, 9 Cedar Swamp Road

B. Consider, discuss and act upon approving the renewal of two (2) Special Dance License, as applied, subject to compliance with all State regulations and local ordinances:

1. TMG Trap North d/b/a “The Trap North Brew Pub & Grille”, 10 Smith Avenue
2. Copperfield’s Inc. d/b/a “Copperfield’s Bar & Grill”, 9 Cedar Swamp Road

C. Consider, discuss and act upon approving a one (1) One-Day Beer/Wine License for the Smithfield Senior Center as follows:

- New Year’s Party to be held on Thursday, January 19, 2023 from 12:00 p.m. to 3:00 p.m.

The party will take place at the Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail from 12:00 p.m. to 3:00 p.m., as applied, subject to all State regulations and local ordinances.

D. Consider, discuss and act upon approving the renewal of three (3) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
2. Fresh Pita, LLC d/b/a “Fresh Pita”, 777 Putnam Pike
3. J’s Delicatessen, Inc. d/b/a “J’s Delicatessen”, 285 George Washington Highway

XI. Old Business:

A. Consider, discuss, and act upon adoption of a resolution to replace a resolution dated September 7, 2021 establishing the Camp Shepard Subcommittee sponsored by Councilman Michael P. Iannotti.

XII. New Business:

A. Consider, discuss, and act upon the acceptance of the Audit Report for Fiscal Year Ending June 30, 2022 prepared by Hague, Sahady & Co., P.C.

B. Consider, discuss, and act upon a resolution authorizing the purchase of a new rescue truck through the Smithfield Capital Lease Fund.

C. Consider, discuss, and act upon authorizing the sale of the Fire Department’s 2010 Pierce Ladder Truck.

D. Consider, discuss, and act upon approving tax abatements in the amount of twelve thousand, five hundred and eight dollars, and forty-three cents (\$12,508.43).

XIII. Public Comment.

XIII. Adjournment.

AGENDA POSTED: THURSDAY, JANUARY 12, 2023

The public is welcome to any meeting of the Town Council or its sub-committees. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager’s office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

MINUTES OF SMITHFIELD TOWN COUNCIL MEETING

Date: Tuesday, January 3, 2023

Place: Smithfield Town Hall

Time: 7:00 P.M.

Present:

Town Council President T. Michael Lawton
Town Council Member Sean M Kilduff
Town Council Member Michael P. Iannotti
Town Council Member Rachel S. Toppi
Town Council Member John J. Tassoni, Jr.
Town Manager Randy R. Rossi
Town Solicitor Anthony Gallone
Acting Town Clerk Lyn M. Antonuccio

- I. President Lawton calls the Tuesday, January 3, 2023 Smithfield Town Council Meeting to order at 7:00 p.m.**
- II. President Lawton offers a prayer.** President Lawton also asks for a moment of silence in honor of Lincoln Almond
- III. Salute to the flag.**
- IV. Emergency Evacuation and Health Notification**
- V. Presentations:**
 - A. Smithfield Home for the Holidays House and Doorway Decorating Contest Winners.**

Town Manager Rossi explains that this is the third annual Home for the Holidays contest and the addition of a door decorating contest.

Town Manager Rossi announces the Home for the Holidays winners as follows:

The Nicolas Family at 3 Hazel Drive (3rd place)
The Lanzieri Family at 12 Pineridge Drive (2nd place)
The McCaskill Family at 13 Cherrywood Drive (1st place)

Town Manager Rossi announces that the winner of the Door Decorating contest was the Turner Family at 133 Farnum Pike.

The Town Council present the winners with a citation.

B. Sentinel Striders' High School Team 2022 USA Track and Field National Junior Olympic Cross Country Champions – Jason Padula, Elijah Saddlemire, and Michael Goodson.

President Lawton explains that the USA Track and Field National Junior Olympic Cross Country Championship was held on December 10, 2022 in Texas, and the Sentinel Striders outlasted fourteen (14) other teams from across the country to earn gold medals to win the national title.

President Lawton further explains that out of two hundred twenty four (224) runners, Jason Padula finished 12th, Elijah Saddlemire finished 40th, and Michael Goodson finished 77th.

The Town Council presented the gold medalists with citations.

VI. Minutes:

A. Move that the minutes of the December 20, 2022 open session meeting be approved as recorded.

Motion is made by Member Tassoni, seconded by Member Iannotti, that the December 20, 2022 open session meeting be approved as recorded. **Motion is approved by a unanimous 5/0 vote.**

VII. Consider, discuss and act upon the following possible appointments and reappointments:

A. Municipal Court Judge reappointment with a term expiring in January of 2025.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby reappoints William A. Poore, Esq. to the position of Municipal Court Judge for the term of January 2023 through January 2025. **Motion is approved by a unanimous 5/0 vote.**

B. Probate Court Judge reappointment with a term expiring in January of 2025.

Motion is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby reappoints Terrance N. Turner, Esq. to the position of Probate Court Judge for the term of January 2023 through January 2025. **Motion is approved by a unanimous 5/0 vote.**

C. Police Prosecution Solicitor reappointment with a term expiring in January of 2025.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby reappoints Stephen A. Archambault, Esq. to the position of Police Prosecution Solicitor for the term of January 2023 through January 2025. **Motion is approved by a unanimous 5/0.**

D. Town Solicitor reappointment with a term expiring in January of 2025.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby reappoints Anthony M. Gallone, Jr., Esq. to the position of Town Solicitor for the term of January 2023 through January 2025. **Motion is approved by a unanimous 5/0 vote.**

E. Zoning Board Solicitor reappointment with a term expiring in January of 2025.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council here by reappoints the Law Offices of Gregory J. Schadone, Ltd. To the position of Zoning Board Solicitor for the term January 2023 through January 2025. **Motion is approved by a unanimous 5/0 vote.**

VIII. Public Hearings:

A. Conduct a public hearing to consider and act upon amendments to the Code of Ordinances to adopt Chapter 119 entitled “Prohibited Consumption of Cannabis on Town-Owned Property” co-sponsored by Councilman Michael P. Iannotti and Councilwoman Rachel S. Toppi.

President Lawton declares the public hearing open.

Member Toppi explains that the language regarding the fines have been changed to “not more than” \$100 and “not more than” \$150 for the second offense.

Solicitor Gallone reminds the member that this ordinance results from the recent state law that passed legalizing the recreational use of marijuana.

Member Iannotti explains the new state law allows for the use of recreational marijuana, therefore, the members felt there should be restrictions with regard to local areas, and RI General Laws § 21-28.11.16(4)b allows for cities/towns to adopt an ordinance to ban or impose restrictions on the smoking or vaping of cannabis products in public places. Member Iannotti further explains that a “public place” includes outdoor common areas, parks, beaches, athletic/recreational facilities and other public spaces.

Member Iannotti also explains that the ordinance as proposed would restrict smoking or vaporizing cannabis in any public space, the language for the fines would be amended to read “not more than” \$100 and “not more than” \$150 for the second offense.

Member Tassoni questions where the money collected for fines will go. Solicitor Gallone states that the fines collected will be placed in the General Fund. Member Tassoni suggest placing the money in a restricted receipt account for substance abuse.

Solicitor Gallone states that there is an ordinance that prohibits alcohol use on Town property.

Member Tassoni questions where the money collected from those fines is placed. Solicitor Gallone states that there are no fines listed in the ordinance, which could make it unconstitutional. Solicitor Gallone further states that the alcohol ordinance needs to be reviewed and amended. Member Tassoni states he would like to revisit that ordinance.

Member Toppi questions if there will be signs posted. Town Manager Rossi states that the Town will update its signs.

Member Tassoni suggests a restricted receipt account for substance abuse in which the fines collected can be placed. Town Manager Rossi states a resolution can be drafted to create a separate fund and discussed at the next council meeting.

Thomas Hodgkins of 200 Farnum Pike feels that in order for the ordinance to have more “teeth” the following, which were incorporated from Cranston/and or Barrington, should be considered:

- Add “conservations areas owned by the Town” to the list of prohibited places.
- In addition to smoking and vaping, add “consume in any other method”. This could potentially give the police more lead way in enforcement.
- Add “unlawful for minors under the age of twenty-one (21) to possess”.

Member Kilduff questions if the current medical marijuana statute allows for individuals up to the age of eighteen (18) to possess marijuana. Member Kilduff states he would be hesitate to add an age restriction on recreational use if medicinal use is allowed.

Police Chief Richard St. Sauveur states that he would support Member Tassoni’s suggestion regarding a restrictive account with the fines going to substance abuse/mental health.

Police Chief St. Sauveur questions the fines being the discretion of the police. Solicitor Gallone explains that and they would be cited and appear in municipal court at which time the fine will be the court’s discretion.

Member Tassoni questions if this should be in the ordinance. Solicitor Gallone explains that is standard procedure and part of the Code of Ordinances.

Member Iannotti supports adding “conservation areas owned by the Town” to the ordinance.

Member Toppi expresses her concerns about edibles which are hard to determine. Member Iannotti feels this would be hard to enforce.

Member Tassoni suggests that with regard to minors, they will be referred to the Juvenile Hearing Board. Solicitor Gallone explains that this board adjudicates violations with minors in an attempt to give these minors a second chance.

Member Tassoni suggests reviewing the comments/suggestions and further discussing this matter at the next council meeting.

Motion is made by Member Iannotti, seconded by Member Tassoni, that the Smithfield Town Council hereby continues this public hearing to January 17, 2023 Town Council meeting. Motion is approved by a unanimous 5/0 vote. **Motion is approved by a unanimous 5/0 vote.**

- B. Schedule a public hearing on February 7, 2023 to consider and act upon amendments to the Code of Ordinances to amend Chapter 294 entitled “Sewers”, Section 16 “Imposition of Annual Sewer Use Charge” to enable quarterly billing of sewer use invoices sponsored by Councilman John J. Tassoni, Jr.**

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Council hereby schedules a public hearing on February 7, 2023 to consider and act upon amendments to the Code of Ordinances to amend Chapter 294 entitled “Sewers”, Section 160 Imposition of Annual Sewer Use Charges. **Motion is approved by a unanimous 5/0.**

- C. Conduct a public hearing to consider, discuss, and act upon approving the renewal of the Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Good Standing from the RI Division of Taxation.**

INTOXICATING BEVERAGE LICENSE RENEWALS 2022-2023

CLASS B-VICTUALLER BEVERAGE LICENSES

- 1. Chacon Restaurant, LLC, d/b/a “Frank & John from Italy on the Water” 743 Putnam Pike (approved for outdoor bar service)**
- 2. Douglas Eatery, LLC d/b/a “Twin River Pizzeria, Crazy Wings, Thai Café”, 55 Douglas Pike (approved for outdoor bar service)**
- 3. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road (approved for outdoor bar service)**
- 4. Ichiraku, LLC d/b/a “Ichiraku Ramen and Fusion”, 970 Douglas Pike (approved for outdoor bar service)**

President Lawton declares the public hearing open.

Acting Town Clerk states that these license renewals are in order for approval.

Hearing no further comments, President Lawton closes the public hearing.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of the following Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all state regulations, local ordinances, and a Certificate of Good Standing from the RI Division of Taxation.

INTOXICATING BEVERAGE LICENSE RENEWALS 2022-2023

CLASS B-VICTUALLER BEVERAGE LICENSES

5. Chacon Restaurant, LLC, d/b/a “Frank & John from Italy on the Water” 743 Putnam Pike (approved for outdoor bar service)
6. Douglas Eatery, LLC d/b/a “Twin River Pizzeria, Crazy Wings, Thai Café”, 55 Douglas Pike (approved for outdoor bar service)
7. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road (approved for outdoor bar service)
8. Ichiraku, LLC d/b/a “Ichiraku Ramen and Fusion”, 970 Douglas Pike (approved for outdoor bar service)

Motion is approved by a unanimous 5/0 vote.

D. Consider scheduling a Show Cause Hearing on Tuesday, January 17, 2023 to consider, discuss, and act upon the possible suspension, revocation, or other sanction regarding the listed Liquor Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. **DLA, LLC d/b/a “Parma Ristorante”, 266 Putnam Pike, Unit 1 (Failure to produce a Certificate of Good Standing, a copy of TIP Cards and outstanding tangible taxes)**
2. **Rebel Alliance Group, LLC d/b/a “Bistecca Chop House”, 332 Farnum Pike (Failure to obtain a Certificate of Good Standing, copy of TIP Cards, copy of food license, copy of the Retail Sales Permit and outstanding tangible taxes)**
3. **Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C (Failure to produce a Certificate of Good Standing)**
4. **Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, (Failure to pay outstanding tangible taxes)**
5. **Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1 (Failure to produce a copy of the Retail Sales Permit, copy of the food license and a copy of the TIP Cards)**

Member Kilduff questions if the Clerk’s Office has been in contact with these establishments. Acting Town Clerk Antonuccio states that numerous letters and phone calls were made to them.

Solicitor Gallone questions if she is aware that these establishments have requested their Certificate of Good Standing. Acting Town Clerk Antonuccio states she is unaware if they have requested their certificate.

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council hereby schedules a public hearing on Tuesday, January 17, 2023, to consider the possible suspension, revocation, or other sanction regarding the listed Liquor Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. DLA, LLC d/b/a “Parma Ristorante”, 266 Putnam Pike, Unit 1 (Failure to produce a Certificate of Good Standing, a copy of TIP Cards and outstanding tangible taxes)
2. Rebel Alliance Group, LLC d/b/a “Bistecca Chop House”, 332 Farnum Pike (Failure to obtain a Certificate of Good Standing, copy of TIP Cards, copy of food license, copy of the Retail Sales Permit and outstanding tangible taxes)
3. Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C (Failure to produce a Certificate of Good Standing)
4. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, (Failure to pay outstanding tangible taxes)
5. Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1 (Failure to produce a copy of the Retail Sales Permit, copy of the food license and a copy of the TIP Cards)

Motion is approved by a unanimous 5/0 vote.

- E. Consider scheduling a Show Cause Hearing on Tuesday, January 17, 2023 to consider, discuss, and act upon the possible suspension, revocation, or other sanction regarding the listed Victualling Only Licenses, due to non-renewal or non-compliance with the conditions of renewal:**

1. 7-Eleven Store #32614A d/b/a “7-Eleven #32614A, 970 Douglas Pike (Failure to provide a copy of the Retail Sales Permit)
2. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue (Failure to produce a copy of the food business license, a copy of the Retail Sales Permit and outstanding tangible taxes)
3. Fresh Pita, LLC d/b/a “Fresh Pita”, 777 Putnam Pike (Failure to pay outstanding tangible taxes)
4. Ivy and Lace Bake Shop, LLC d/b/a “The Ivy and Lace Bakeshop”, 546 Putnam Pike (Failure to produce necessary paperwork required for renewal)
5. J’s Delicatessen, Inc. d/b/a “J’s Delicatessen”, 285 George Washington Highway (Failure to pay outstanding tangible taxes)
6. JPC Pizza, Inc. d/b/a “Ronzio Pizza”, 1150 Douglas Pike (Failure to produce necessary paperwork required for renewal)
7. Jason Marino d/b/a “Juice Bar & Co., 266 Putnam Pike (Failure to pay outstanding tangible taxes and a copy of the Retail Sales Permit)
8. Melissa Carbone d/b/a “Bree’s Deli”, 115 Pleasant View Avenue #1 (Failure to produce necessary paperwork required for renewal)
9. The Level 10 Nutrition Club, LLC, d/b/a “The Level 10 Nutrition Club”, 10C Cedar Swamp Road (Failure to produce a copy of the Retail Sales Permit)
10. The Sevigny Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike (Failure to produce necessary paperwork required for renewal)

Motion is made by Member Tassoni, seconded by Member Iannotti, that the Smithfield Town Council hereby schedules a public hearing on Tuesday, January 17, 2023, to consider the possible suspension, revocation, or other sanction regarding the listed Victualling Only License due to non-renewal or non-compliance with the conditions of renewal:

1. 7-Eleven Store #32614A d/b/a “7-Eleven #32614A, 970 Douglas Pike (Failure to provide a copy of the Retail Sales Permit)
2. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue (Failure to produce a copy of the food business license, a copy of the Retail Sales Permit and outstanding tangible taxes)
3. Fresh Pita, LLC d/b/a “Fresh Pita”, 777 Putnam Pike (Failure to pay outstanding tangible taxes)
4. Ivy and Lace Bake Shop, LLC d/b/a “The Ivy and Lace Bakeshop”, 546 Putnam Pike (Failure to produce necessary paperwork required for renewal)
5. J’s Delicatessen, Inc. d/b/a “J’s Delicatessen”, 285 George Washington Highway (Failure to pay outstanding tangible taxes)
6. JPC Pizza, Inc. d/b/a “Ronzio Pizza”, 1150 Douglas Pike (Failure to produce necessary paperwork required for renewal)
7. Jason Marino d/b/a “Juice Bar & Co., 266 Putnam Pike (Failure to pay outstanding tangible taxes and a copy of the Retail Sales Permit)
8. Melissa Carbone d/b/a “Bree’s Deli”, 115 Pleasant View Avenue #1 (Failure to produce necessary paperwork required for renewal)

Motion is approved by a unanimous 5/0 vote.

Member Tassoni questions if there are any ordinances, litigation, or fines that can be imposed for these establishments that have been habitual problems. Solicitor Gallone states that the council has the ability not to renew their license, however, they eventually get their license because the Town gives them a grace period as not to put someone out of business. Member Tassoni agrees, however, it is the same establishments every year.

Member Iannotti suggests a list of the repeat offenders showing how many times they have come before the council due to noncompliance, and tell them that this is their final warning or their license will be revoked.

XIV. Licenses:

- A. Consider, discuss and act upon approving the renewal of one (1) Victualling License, as applied, subject to compliance with all State regulations and local ordinances:**

- 1. Target Corporation d/b/a ‘Target Store T-1404’, 371 Putnam Pike**

Acting Town Clerk Antonuccio states that this license is in order for approval.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of one (1) Victualling License, as applied, subject to compliance with all State regulations and local ordinances:

1. Target Corporation d/b/a ‘Target Store T-1404’, 371 Putnam Pike

Motion is approved by a unanimous 5/0 vote.

B. Consider, discuss and act upon approving the renewal of two (2) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike
2. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road

Acting Town Clerk Antonuccio states that these licenses are in order for approval.

Motion is made by Member Tsssoni, seconded by Member Toppi, that the Smithfield Town Council approve the renewal of two (2) Entertainment Licenses, as listed, as applied, subject to compliance with all state regulations and local ordinances.

1. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike
2. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road

Motion is approved is by approved by a unanimous 5/0 vote.

C. Consider, discuss and act upon approving the renewal of two (2) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike
2. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road

Acting Town Clerk Antonuccio states that these licenses are in order for approval.

Motion is made by Member Tassoni, seconded by Member Iannotti, that the Smithfield Town Council approve the renewal of two (2) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike
2. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road

Motion is approved by a unanimous 5/0 vote.

D. Consider, discuss and act upon approving a new Victualling Only License for Country Creamery, Inc. d/b/a “Country Creamery”, to include outdoor seating, 3 Commerce Street, as applied, subject to compliance with all State regulations, local ordinances, approval for outdoor seating from the Building Official and final approval from the RI Department of Health.

Acting Town Clerk Antonuccio states that the listed items have not yet been received, and the owner, Mr. Demirgioglu is aware that he needs to speak with the Building Department with regard to outdoor seating.

Mr. Demirgioglu is present and explains that he spoke with the Building Department today and it was explained to him how to file the information online.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve a new Victualling Only License for Country Creamery, Inc. d/b/a “Country Creamery”, to include outdoor seating, 3 Commerce Street, as applied, subject to compliance with all State regulations, local ordinances, approval for outdoor seating from the Building Official and final approval from the RI Department of Health. **Motion is approved by a unanimous 5/0 vote.**

X. Old Business: None

XI. New Business:

A. Consider, discuss, and act upon authorizing the Police Department to purchase a 2022 Ford SUV Police Interceptor from Colonial Ford, through the Massachusetts VEH110 Bid, in the amount of sixty-three thousand, five hundred fifty-four dollars and twenty-nine cents (\$63,554.29) with funds available through the Police Equipment Fund.

Police Chief St. Sauveur explains that this vehicle would replace a cruiser that was totaled after being struck by an intoxicated driver in September 2022. Chief St. Sauveur further explains that this purchase would be made through the Massachusetts VEH110 bid through Colonial Ford. Chief St. Sauveur also explains that the funding would be from the Police Equipment Fund, however, an insurance check was received for the damaged vehicle which will make the net cost \$53,304.29.

Chief St. Sauveur states that he is requesting the purchase price of \$63,554.29 minus the insurance check.

Member Iannotti asks how the Police Equipment Fund works. Chief St. Sauveur explains that this fund existed before he became a member of the department. Chief St. Sauveur further explains that all of the ticket fines are placed in that fund to pay for various police equipment to include cruisers.

Member Iannotti states that in the Capital Improvement Budget there is approximately \$140,000 which is set aside for police vehicles. Chief St. Sauveur believes that would depend on what the department asks for that particular year.

Member Iannotti questions if this would cause overspending from what was planned. Chief St. Sauveur states that the Police Equipment Fund currently has \$101,000.

Town Manager Rossi explains that is about re-shifting that allocation. Member Iannotti states that a certain number of cars are based on a replacement schedule.

Chief St. Sauveur explains that the department has changed its spending approach by purchasing vehicles through the Town's lease program.

Member Toppi questions how long a vehicle is kept barring damage. Chief St. Sauveur states that managing a fleet is like a "chess game" because each day is different, and the status of the fleet is continually assessed. Chief St. Sauveur further states that typically a cruiser can last five (5) or six (6) years, and tend to become shaky when the mileage hits 80,000. Chief St. Sauveur reminds the members that the wear and tear of the engine, which is always running, must be considered as well.

Member Toppi questions if vehicles are used as a trade-in towards a new one. Chief St. Sauveur explains that the vehicles are posted on Govdeals.com to get the most amount of money, but they are not used as a trade-in. Chief St. Sauveur further explains that if a vehicle is in very bad condition, they are brought to a scrapyards.

Member Tassoni suggests considering trading the vehicles in because used cars are in demand. Chief St. Sauveur explains that he has never traded a vehicle in, however, it is something to consider. Town Manager Rossi states that because the market is different now, this suggestion is viable.

Motion is made by Member Tassoni, seconded by Member Iannotti, that the Smithfield Town Council authorize the police department to purchase a 2022 Ford SUV Police Interceptor in the amount of \$63,554.29 from Colonial Ford through the VEH110 bid with funds available through the Police Equipment Fund. **Motion is approved by a unanimous 5/0 vote.**

Edward Demayo of 75 Whipple Road suggests trying a vehicle from a drug deal that is brought to auction. Chief St. Sauveur explains that occasionally a vehicle is seized or seize cash related to a drug deal.

- B. Consider, discuss, and act upon authorizing Contract Amendment #16 to the Veolia Water Operations and Maintenance Contract to complete Phase 1 of roof replacements at the Wastewater Treatment Facility in an amount not to exceed two hundred seventy-seven thousand, six hundred and forty dollars and zero cents (\$277,640.00).**

Town Engineer Kevin Cleary explains that this proposed amendment was unanimously approved by the Sewer Authority, and the roof repair program has been identified and consists of three (3) phases that has been budgeted for in the Capital Improvement Program.

Engineer Cleary further explains that six (6) roofs are in need of repair as they have reached the end of their useful life, and as a proactive measure to protect the longevity of the facility a planned approach must be taken to replace these structures.

Engineer Cleary also explains the lowest bidder was A & M Sheet Metal with a bid of \$227,400. Engineer Cleary states that and in line with the Operations and Maintenance Contract, the Town is able to execute contract amendments for these services if they are deemed in the best favorable interest to do so.

Member Tassoni questions if the roofs will be metal. Engineer Cleary explains that it will be rolled rubber roof membrane.

President Lawton questions Veolia soliciting bids. Town Manager Rossi explains that there are a few options, one of which, is using Veolia as the general contractor and have them go through the process. Town Manager Rossi further explains that this has led to very aggressive pricing being submitted with this approach, and this approach saves the Town money and time. Town Manager Rossi reminds the members that the other approach is having the Town oversee the contract versus having a “built-in” general contractor.

President Lawton questions if the Town has chosen the thirty (30) year warranty. Engineer Cleary explains that the lesser of the two (2) was chosen to save additional value, and a forty (40) year warranty is hard to predict.

Member Iannotti questions if these roof replacements have been something that just happened. Engineer Cleary explains that over the course of time due to seasons/weather have springing leaks, and while repairs have been done, it was noticed that there are two (2) roofs that will be approached first that cover the most important part of the facility.

Member Iannotti states that he does not see this amount in the Capital Improvement Program that the previous council approved. Engineer Cleary believes this was in the five (5) year Capital Improvement Plan. Member Iannotti also questions if this project will be funded with the \$700,000 Capital Budget for the current year. Engineer Cleary states that it will be funded via the current Capital Budget.

Town Manager Rossi assures the members that he will check to see if it was a prior approval which was not carried over into the new one.

Member Tassoni questions if there are overhanging trees near the facility. Engineer Cleary explains that none of the roofs are susceptible to a tree falling as it is a wide open area.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes contract amendment #16 to the Veolia Water operations & maintenance contract to complete phase 1 of 3 roof replacements at the WWTF for a fee not to exceed \$277,640. **Motion is approved by a unanimous 5/0 vote.**

C. Consider, discuss, and act upon authorizing the advertisement of a request for proposals for a 10-year Wastewater Treatment Facilities Operations and Maintenance Contract.

Engineer Cleary explains that the Wastewater Treatment Facilities Operations and Maintenance Contract will expire in mid-May, and in preparation, he is working with the Solicitor and the Sewer Authority's consultant to prepare an RFP. Engineer Cleary further explains that the contract and RFP were mirrored from the last RFP and current contract.

Engineer Cleary also explains that the Sewer Authority has considered and acted upon this recommendation.

Member Tassoni questions the length of the contract. Engineer Cleary explains it is a 10-year contract with two (2) 5-year contract extensions.

Member Tassoni questions 10-year, 15-year, and 20-year with the extensions. Solicitor Gallone explains that it would depend on value. Town Manager Rossi feels this is something that could be factored in and could be priced for the three (3) ways. Town Manager Rossi also feels that the Town could give them those pricing options and determine which way is the best.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the issuance of a 10-year wastewater treatment facilities & collection system operations & maintenance Request for Proposals, pending the final review by the Town's Legal and Bond Counsels. **Motion is approved by a unanimous 5/0 vote.**

D. Consider, discuss, and act upon authorizing the advertisement of a request for qualifications for the structural-civil design services of the Mountaindale Road culvert at Stillwater River.

Engineer Cleary explains that as identified in the previous Capital Improvement Plan, the culvert on Mountaindale Road is in need of replacement and has been recommended from the inspection study, and he concurs with those recommendations.

Engineer Cleary further explains that he has prepared an RFQ to seek statements from qualified professional design service that can design a bridge that will get the Town prepared for permitting.

Engineer Cleary also explains that the qualifications will be reviewed and designed, however, not permitted yet so the design cost can be added to the subsequent budget and to seek additional funding to offset the taxpayer's cost.

Member Tassoni questions traffic disruptions. Engineer Cleary explains that there may be minor disruptions, however, there is a “loop” road behind there and there are very few houses in that location.

President Lawton questions if just the piping underneath will be replaced. Engineer Cleary explains that this culvert has two (2) head walls that are starting to fall apart due to scour, high flows, and age.

Member Iannotti states that in the Capital Improvements Plan the approximate cost was over \$900,000. Engineer Cleary feels this is a fairly accurate figure. Engineer Cleary states that this will take approximately one (1) year to design.

Member Tassoni feels this project is a good grant opportunity.

Motion is made by Member Tassoni, seconded by Member Iannotti, that the Smithfield Town Council hereby authorizes the advertisement of a Request for Qualifications for the structural-civil design services of the Mountaindale Road culvert at Stillwater River. **Motion is approved by a unanimous 5/0 vote.**

E. Consider, discuss, and act upon a pole petition from RI Energy Co. to install one new pole on Whipple Road.

DPW Director Gene Allen explains that RI Energy Co. is looking to install one new pole on Whipple Road, and he has inspected the location which appears to be fine.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the pole petition WR30638911 from RI Energy Co. to install one new pole on Whipple Road as described in the attached petition. **Motion is approved by a unanimous 5/0 vote.**

F. Consider, discuss, and act upon authorizing a resolution to replace a resolution dated September 7, 2021 establishing the Camp Shepard Subcommittee sponsored by Councilman Michael P. Iannotti.

Member Iannotti explains that this resolution would add a member of the Land Trust, Historic Preservation Commission, and Conservation Commission to the Camp Shepard subcommittee. Member Iannotti further explains that there are historic buildings on the property, therefore, a member of the Historic Preservation Commission should be on the subcommittee, Camp Shepard abuts Land Trust property, and the Conservation Commission would have the expertise with regard to the fauna involved.

Member Tassoni questions having an odd number of members. Town Manager Rossi explains that an additional member would be absorbed into obtaining a quorum. Solicitor Gallone reminds the members that this is an advisory committee.

Member Kilduff states that as a liaison to the Historic Preservation Commission, he spoke with the Chairman of this subcommittee who spoke highly of the passage of this resolution. Member Kilduff suggests adding the process of who these three (3) individuals are from these committees as it is not made clear, and if there selection is made by the Chair. Town Manager Rossi states that it is a vote of the committee as a body, and is not listed in the resolution per prior practice.

Motion is made by Member Kilduff, seconded by Member Iannotti, that the Smithfield Town Council hereby adopts a resolution to replace a resolution dated September 7, 2021 establishing the Camp Shepard Subcommittee. **Motion is approved by a unanimous 5/0 vote.**

Tom Hodgkins of 200 Farnum Pike feels that the conservation of open space is one of the biggest challenges the Town faces and needs to be a top priority. Mr. Hodgkins also feels that the Town did well be acquiring this property, however, it was his understanding it was acquired for conservation and open space.

Mr. Hodgkins states that there were discussion at the subcommittee meetings about various developments of the property such as making it a “revenue generator”, and he feels this would be a mistake. Mr. Hodgkins further states that this property was purchased to preserve open space, and the Town should not be collecting taxpayer money to generate revenue. Mr. Hodgkins feels that the taxpayers should decide how their money is invested and used.

Mr. Hodgkins also states that this new resolution adds in the language “development and potential construction”. Town Manager Rossi states that there were no other changes made.

Member Kilduff questions where the rhetoric about development is coming from. Mr. Hodgkins states that it has been discussed at the subcommittee meetings that he has attended; specifically a wedding venue.

Mr. Hodgkins compares the two (2) resolutions posted on ClerkBase. Town Manager Rossi assures Mr. Hodgkins that there was no intent to change that. Mr. Hodgkins feels that a conservation type development would not be an issue.

Mr. Hodgkins states that the composition and formation of this subcommittee was the subject of an Ethics Commission advisory opinion last year, and a decision was based on this committee was not a decision making body, however, the committee may be making decisions about what projects could potentially be done there. Mr. Hodgkins does not think this subcommittee has ever reported to the council.

Solicitor Gallone reminds the members that the subcommittee must prepare a report and present it to the council, and the council will ultimately decide what the best use of the property will be taking into consideration the options presented.

President Lawton suggests holding a work session with the subcommittee once the appointments are made.

Mr. Hodgkins states that based on the ethics opinion this subcommittee only applies to/discusses a certain part of the property, and if this is true, the portion of the property needs to be identified.

Solicitor Gallone states that the ad hoc committee function is to assess the viability of the whole site and report back to the council who will vet what is presented at the committee level. Solicitor Gallone further states that the ethics opinion was regarding a prior council member that lived adjacent to the property.

Mr. Hodgkins states that the ethics opinion had to do with whether the former council president could vote on who sit on the committee, and her participation in voting on the members was based on the fact that the Ethics Commission's understanding was that the committee would not be discussing those parcels. Mr. Hodgkins further states that if the scope of the committee is being changed, the committee may need to be formed again under this council.

Solicitor Gallone suggests discussing this matter at the next meeting.

Motion is made by Member Tassoni, seconded by Member Toppi, to table this matter to a future meeting. **Motion is approved by a unanimous 5/0 vote.**

G. Consider, discuss and act upon adoption of a resolution for Town Council Rules of Procedure sponsored by Council President T. Michael Lawton.

Member Kilduff states that these rules/procedures are just a "relay" of what the prior council had and there are no changes being made.

Solicitor Gallone states that these rules/procedures were put in place by a prior councils and none of the members felt any changes needed to be made. Solicitor Gallone reminds the members that if there are any changes this council would like to make, they can be addressed at future meetings.

Motion is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby adopts a resolution for Town Council Rules of Procedure. **Motion is approved by a unanimous 5/0 vote.**

H. Consider, discuss, and act upon approving tax abatements in the amount of nine hundred fifty-one dollars and twenty-three cents (\$951.23).

Motion is made by Member Iannotti, seconded by Member Tassoni, that the Smithfield Town Council approve the tax abatements in the amount of \$951.23. **Motion is approved by a unanimous 5/0 vote.**

XII. Public Comment.

Edward DeMayo of 75 Whipple Road explains that he was listening to the radio when someone from Woonsocket called in to the show and stated she came to use the dog park in Smithfield rather than in Woonsocket because of its serenity. Mr. DeMayo feels this is phenomenal because trees, grass, and open space. Mr. DeMayo gives "kudos" to the council members because they do a great job.

Mr. DeMayo also gives "kudos" to DPW Director Gene Allen for his prompt attention to a matter

that took place on Mr. DeMayo's road. Mr. DeMayo states that if the council ever feels frustrated, to remember that we were born in the greatest country on earth, in the greatest state, and live in the greatest Town.

XIII. Adjournment.

Motion is made by Member Tassoni, seconded by Member Kilduff, to adjourn the meeting.
Motion is approved by a unanimous 5/0 vote.

Meeting adjourns at 8:15 p.m.

Acting Town Clerk



memorandum

DATE: December 1, 2022

TO: Smithfield Town Council

FROM: Randy R. Rossi, Town Manager

RE: Code of Ordinance Amendment to Adopt Chapter 119 entitled “Prohibited Consumption of Cannabis on Town-Owned Property”

Rhode Island General Law allows for any city or town to adopt ordinances that ban or impose restrictions on the smoking or vaporizing of cannabis products in public places. This Code of Ordinance amendment is being proposed to combat the use of cannabis in public on Town-owned property.

MOTION:

That the Smithfield Town Council hereby authorizes amendments to the Code of Ordinances to Adopt Chapter 119 entitled “Prohibited Consumption of Cannabis on Town-Owned Property”.

The Town of Smithfield Code of Ordinances Part II, General Legislation is here by amended by adding thereto Chapter 119 entitled “ Prohibited Consumption Of Cannabis On Town Owned Property “

Section 119-1. Prohibited Consumption of cannabis on Town owned property.

A. Authorization

1. Under Rhode Island General Laws ~~§21-28.11-16(4)~~ **21-28.11-16(b)** “Local control,” any city or town may adopt ordinances that ban or impose restrictions on the smoking or vaporizing of cannabis products in public places.

B. Definitions

1. For the purposes of this section, the following terms have the following meanings:
 - i. Public Place - ~~Any place to which the public or a substantial group of persons has access and/or view.~~ A "public place" includes, but shall not be limited to public ways, streets, sidewalks, walkways, alleys or alleyways, highways, bridges, overpasses, parking lots, municipal buildings, municipal parking lot facilities, municipal parking lot ramps, vacant or undeveloped lots, transportation facilities, parks, pools, plazas, building facades, stairwells, alcoves, doorways, entranceways, pedestrian malls, playgrounds, places of amusement, hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence.
 - ii. Smoke or vaporize - inhaling, exhaling, burning or carrying any lighted or vaporized cannabis in any manner or form.
 - iii. Cannabis products - products that have been manufactured and contain cannabis or an extract from cannabis, including concentrated forms of cannabis and products composed of cannabis and other ingredients that are intended for use or consumption, including oils.

C. Enforcement

1. No person shall smoke or vaporize in any public place.
2. Nothing in this section shall preclude the Town of Smithfield or any law enforcement officer of any jurisdiction from charging an offender for a violation of any other applicable law or ordinance arising from the offender’s prohibited conduct.
3. Nothing in this section shall be construed to prohibit the transportation of cannabis or cannabis products.

D. Penalties

1. Any person who violates this section is liable for a fine of **not more than \$100.00** for the first offense and **not more than \$150.00** for each subsequent offense **to be deposited into the Substance Abuse Restricted Fund.**

E. Notwithstanding any of the provisions herein, shall there be a conflict with any provisions of the Rhode Island General Laws governing the regulation of the consumption of cannabis, the provisions of State law shall control.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

Section 1. The Town of Smithfield Code of Ordinances Part II, General Legislation, is hereby amended by adding thereto Chapter 119 entitled “ Prohibited Consumption Of Cannabis On Town Owned Property “

Section 119-1. Prohibited Consumption of Cannabis On Town Owned Property.

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 - ii. Smoke or vaporize - inhaling, exhaling, burning or carrying any lighted or vaporized cannabis in any manner or form.
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Section 2. This ordinance shall take effect thirty (30) days after its adoption.



Town of Smithfield
Town Clerk

Memorandum

DATE: January 11, 2022

TO: Smithfield Town Council

FROM: Lyn Antonuccio, Acting Town Clerk

RE: Amendment to the Liquor License Ordinance

Background: On September 1, 2015 the Town Council approved an amendment to the Liquor License Ordinance, which at that time, allowed for a maximum of thirty-five (35) Full Privilege Liquor Licenses. This amendment raised the maximum to forty (40) liquor licenses.

There have been several requests for Full Privilege Liquor Licenses, of which there are only two (2) remaining. This proposed amendment would increase the maximum amount of Full Privilege Liquor Licenses from forty (40) to forty-five (45).

Attachment: Current Liquor License Ordinance and a copy of the advertisement that ran in the Observer/Valley Breeze on December 29, 2022 and January 5, 2023.

Recommended Motion: Move that the Smithfield Town Council hereby authorizes a Liquor License Ordinance Amendment to Chapter 118: Alcoholic Beverages, Article II Licenses, § 118-2 Number of Licenses.

Town of Smithfield, RI
Tuesday, November 29, 2022

Chapter 118. Alcoholic Beverages

Article II. Licenses

§ 118-2. Number of licenses.

[Amended 2-24-1976; 5-27-1980; 12-13-1983; 12-18-1984; 5-13-1986; 8-9-1994; 11-19-1996; 4-7-1998; 1-7-2014 by Ord. No. 2014-01; 9-1-2015 by Ord. No. 2015-04]

The maximum number of Class B (full privilege), Class B (limited) and Class D (full privilege) alcoholic beverage licenses which may at any one time be issued and outstanding within the Town is hereby fixed as follows:

Class of License	Maximum Number
B (full privilege)	40
B (limited)	14
D (full privilege)	5

[1] *Editor's Note: State law references - Maximum number of licenses, G.L. 1956, § 3-5-16; retail licenses generally, G.L. 1956, § 3-7 et seq.*

**TOWN OF SMITHFIELD
NOTICE OF PUBLIC HEARING**

Public Hearing Date: Tuesday, January 3, 2023
Time: 7:00 p.m.
Place: Smithfield Town Hall, 64 Farnum Pike, 2nd Floor

**Proposed Amendment to the Code of Ordinances, to Adopt Chapter 119, entitled
"Prohibited Consumption of Cannabis on Town-Owned Property"**

The public is welcome to any meeting of the Town Council or its subcommittees. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager's office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

To view the full text of the proposed amendment to the Code of Ordinances, Chapter 119 entitled "Prohibited Consumption of Cannabis on Town-Owned Property", please visit the office of the Smithfield Town Clerk's Office during normal business hours (8:30 a.m. to 4:30 p.m.) or visit the Town's Web Site at: www.smithfieldri.com.

By order of the Town Council:

Lyn Antonuccio, MPA, CMC
Acting Town Clerk



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

Telephone (401) 233-1017
Fax (401) 233-1091

MEMORANDUM

DATE: January 11, 2023
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed amendments to Zoning Ordinance and Map

Attached are a number of proposed amendments to the Zoning Ordinance. Some of the amendments are proposed to comply with changes in State rules and regulations (Accessory Dwelling Units), some are proposed to implement actions called for in the Comprehensive Plan (Addition of the Open Space Zone) and others are proposed to improve the ordinance and eliminate inconsistencies (Solar Ordinance).

The Planning Board reviewed the proposed amendments at a number of meetings last year meetings and made a positive recommendation to the Town Council to adopt the amendments.

Recommended Motion: That the Smithfield Town Council hereby schedules a public hearing on February 21st to consider adopting amendments to the Zoning Ordinance and Map.

Attachments:
Proposed Amendments
Public Hearing Notice

Proposed Zoning Amendments - 01/11/23

1.3 ESTABLISHMENT OF ZONING DISTRICTS

For the purpose of this Ordinance, the Town is divided into zoning districts designated and described as follows:

...

Open Space (OS) - This district is established for land held by the Town, State or private conservation organizations such as the Audubon Society of Rhode Island, and Home Owners Associations with dedicated open space that is currently or, is planned to be used for recreation or conservation purposes. Permitted uses in the Open Space zone would be those agricultural uses allowed in the R-80 and R-200 zoning districts, certain open recreation and public and semi-public uses.

ARTICLE 4 – USE REGULATIONS

ZONING DISTRICT ABBREVIATIONS

Residential Zoning Districts

...

R-20MA Multi-Family Residential Affordable (For permitted uses see Section 9.3)

Open Space - Land held by the Town, State or private conservation organizations for open space, recreation or conservation purposes will be zoned Open Space.

4.4 Supplementary Use Regulations

A-10. Open Space – Uses allowed by right in the Open Space district include, passive recreation, conservation and customary outdoor sports facilities. On municipal property, indoor sports facilities, restroom facilities, exhibition space, maintenance buildings and other facilities for educational and/or instructional purposes are also allowed by right.

Article 2.2 Specific Definitions ...

2. Accessory Dwelling Unit (ADU)

A dwelling unit: (i) Rented to and occupied either by one or more members of the family of the occupant or occupants of the principal residence; or (ii) Reserved for rental occupancy by a person or a family where the principal residence is owner occupied and that meets the following provisions:

A. In zoning districts that allow residential uses, no more than one ADU may be an accessory to a single family dwelling.

B. An ADU shall include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The ADU shall be within, or attached to, the principal dwelling unit structure or within an existing structure, such as a garage or barn.

~~and designed so that the appearance of the principal structure remains that of a one family residence.~~

~~A residential living unit on the same parcel where the primary use is a legally established single-unit or multi-unit dwelling. An ADU provides complete independent living facilities for one or more persons. It may take various forms including, but not limited to: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.~~

4.4 Supplementary Use Regulations

~~**B-1. Accessory Dwelling Unit (ADU)**—A dwelling unit: (i) Rented to and occupied either by one or more members of the family of the occupant or occupants of the principal residence; or (ii) Reserved for rental occupancy by a person or a family where the principal residence is owner occupied and that meets the following provisions: A residential living unit on the same parcel where the primary use is a legally established single-unit or multi-unit dwelling. An ADU provides complete independent living facilities for one or more persons. It may take various forms including, but not limited to: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling. An ADU located in a single family residence, to extent practicable should retain the appearance one-family residence.~~

~~A. In zoning districts that allow residential uses, no more than one ADU may be an accessory to a single-family or, multifamily dwelling.~~

~~B. An ADU shall include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The ADU shall be within, or attached to, the principal dwelling unit structure or within an existing structure, such as a garage or barn, and designed so that the appearance of the principal structure remains that of a one family residence.~~

~~B. An ADU shall not be less than 400 square feet in area and not greater than 800 square feet of interior floor area~~

~~A.C. At a minimum, the ADU must share the following utilities with the principal structure: water, electric and sewer/OWTS.~~

~~B.D. Provide proof that the on-site wastewater treatment system (OWTS) is suitable for the increase in the number of bedrooms.~~

~~C.E. A lot containing an ADU shall provide for one (1) parking space above that which is required for the principal structure as called for in Section 7.4 (A) herein.~~

~~D.F. ADU's approved subject to the requirement that there be a familial relationship between the occupant of the principal residence and the occupant of the ADU are not considered Non-Conforming uses based solely on the lack of the familial relationship. Amendments to R.I.G.L. 45.24 and to this ordinance removed the requirement for a familial relationship.~~

1.5 ZONE BOUNDARIES

Where uncertainty exists as to the boundaries of the zoning districts as shown on the Official Zoning Map, the following rules shall apply:

...

C. Where the street layout...

D. When a lot is transected by a Zoning District Boundary, the zoning regulations applicable to the larger part of the lot by area shall govern the entire lot, except where doing so is inconsistent with the general purposes of zoning ordinances set forth in R.I.G.L. §45-24-30 as well as inconsistent with the Town's Comprehensive Plan, including the Future Land Use Map.

st part of the lot by area except, in instances where a split lot specifically designated for lot by the Land use Plan

5.10 INCLUSIONARY ZONING

M. In-Lieu-of Fees:

The Town of Smithfield prefers that Inclusionary Units be constructed on site. However, the fee in lieu of the construction or provision of affordable housing shall be the choice of the developer or builder applied on a per-unit basis and may be used for new developments, purchasing property and/or homes, rehabilitating properties, or any other manner that creates additional low-or-moderate income housing as defined in § 45-53-3(9). If a developer opts to pay a fee in lieu, the number of units the developer may build on site is reduced by the number of units for which the builder pays the fee in lieu. Under no circumstances may a developer pay the fee in lieu to avoid building an LMI unit on site and also convert the LMI unit included in the calculation of total units into a market rate unit.

); Developers that opt to pay the fee in lieu of constructing on site LMI units are not entitled to the density bonus as detailed in Subsection F, herein.

5.11.2 Definitions.

A. Accessory solar energy system: A solar energy system that is incidental and subordinate to the principal use(s) of the parcel and generates no more energy than 125% of the energy that is necessary to support the principal use of the parcel and occupies less than 20,000 square feet of area or more, inclusive of inter-row and panel/collector spacing.

D. Large-scale solar energy system: A principal solar energy system that occupies 20,000 40,000 square feet of area or more, inclusive of inter-row and panel/collector spacing.

5.11.3 Permitted Uses And Review Process.

B.

b. Medium-scale and Large-scale solar energy systems shall be subject to Technical Review and review pursuant to the Town's Land Development and Subdivision Review Regulations.

G.

16. An Environmental Impact Assessment including a carbon sequestration analysis shall be submitted for all medium and large-scale solar energy systems that propose to clear more than 10 acres of forest land.

5.11.4 Accessory Solar Energy Systems.

- A. Accessory solar energy systems shall be permitted in the zones indicated in the Smithfield Zoning Ordinance, article 4.3, Table of Uses and, reviewed pursuant to the requirements of this section Section 4, Accessory Solar Energy Systems, and as otherwise indicated in this Ordinance. A solar energy system that generates more than the 125% of the energy needed for the principal use on the property shall be considered Major Land development Project and reviewed as a new principal solar energy systems pursuant to 5.11.3 Permitted Uses And Review Process (B).
- B. Accessory solar energy systems less than 1,750 square feet in size, inclusive of inter-row and panel/collector spacing shall not be constructed, installed, or modified as provided in this Section before all required building permits are obtained from the Building Department.
- ~~C. Applications for an accessory solar energy system shall be submitted to the Smithfield Building and Zoning Officer, unless it is an application for an accessory solar energy system governed by Section 4 (D), in which case the application shall be submitted to the Administrative Officer for the Planning Board. unless it is an application for an accessory solar energy system governed by Section 4 (D), in which case the application shall be submitted to the Administrative Officer for the Planning Board.~~
- D. New, or expanded ground mounted accessory solar energy systems greater than 1,750 square feet in size, inclusive of inter-row and panel/collector spacing, shall be subject to Technical Review, as specified in Section 10.9 herein. The Technical Review of new, or expanded accessory solar energy systems of ~~40,000~~ 20,000 square feet or more in size, inclusive of inter-row and panel/collector spacing, shall be reviewed as a Large Scale Solar Energy System and is subject to the provisions of 5.11.5 herein. ~~include a public hearing, advertised and noticed pursuant to the requirements for public notice contained within the Smithfield's Land Development and Subdivision Review Regulations. Technical Review shall be conducted pursuant to and shall meet the standards set forth by the provisions of Section 3, Permitted Uses And Review Process, and the Town's Land Development and Subdivision Review Regulations.~~

5.11.6 General Requirements For Accessory And Principal Solar Energy Systems.

- ~~M. All medium and large scale ground-mounted solar energy systems shall be designed and installed to ensure that:~~

5.11.7 Additional Requirements For Principal Solar Energy Systems In Residential Zoning Districts (R-20, R-20M, R-Med, R-80 And R-200).

- ~~B. Medium scale solar energy systems in the R-Med, R-80, and R-200 zoning districts, and that otherwise meet the requirements of this Ordinance, shall only be allowed on parcels of ten (10) acres or more and by Special Use Permit.~~
- ~~B^C Large-scale solar energy systems in the R-Med, R-80, and R-200 zoning districts, and that otherwise meet the requirements of this Ordinance, shall only be allowed on parcels of fifteen (15) ten (10) acres or more and by Special Use Permit.~~

~~CD~~ Unless the ~~Medium-scale or~~ Large-scale solar energy system is roof-mounted, it shall not be permitted on any parcel in a Residential Zoning District that has an existing principal residential use as identified by the Smithfield Zoning Ordinance, Article 4.3(B) Residential Uses.

E. A residential use as identified by the Smithfield Zoning Ordinance, Article 4.3(B) Residential Uses, shall not be permitted on any parcel in a Residential Zoning District that has an existing ~~Medium Scale or~~ Large-scale solar energy system.

10.7 ZONING BOARD OF REVIEW

J. Voting

The Board shall be required to vote as follows:

1. Four (4) ~~Five (5)~~ active members, which may include alternates, shall be necessary to conduct a hearing. As soon as a conflict occurs for a member, that member shall excuse himself/herself, and shall not sit as an active member and shall take no part in the conduct of the hearing. Only five (5) active members shall be entitled to vote on any issue.
2. The concurring vote of ~~three (3) of the five (5)~~ a majority members of the Board sitting at a hearing shall be necessary to reverse any order, requirement, decision or determination of the Planning Board or any zoning administrative officer from whom an Appeal was taken.
3. The concurring vote of ~~four (4) of the five (5)~~ a majority of members of the Board sitting at a hearing shall be required to decide in favor of an applicant on any matter within the discretion of the Board upon which it is required to pass under this Ordinance, including Variances and Special Use Permits.

D. PUBLIC & SEMI-PUBLIC USES (cont'd.)	R-200	R-80	R-Med	R-20	R-20M	MU	V	C	HC	LI	I	PC	PD
14. Trade School, utilizing heavy machinery	N	N	N	N	N	N	N	N	S	N	S	N	N
15. Utilities, Public or Private	S	S	S	S	S	S	S	S	S	S	S	S	S
16. Waste Management Facility, (Public or Private)	N	N	N	N	N	N	N	N	N	N	N	N	N
17. Accessory Solar Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P
18. Small-Scale Solar Energy System	S	S	S	N	N	N	N	P	P	P	P	P	P
19. Medium-Scale Solar Energy System	S	S	S	N	N	N	N	S	P	P	P	P	P
20. Large-Scale Solar Energy System	S	S	N	N	N	N	N	S	S	S	P	S	S

TOWN OF SMITHFIELD, RHODE ISLAND

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Smithfield Town Council will hold a Public Hearing at the Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI on Tuesday, February 21, 2023 at 7:00 PM. The purpose of the Public Hearing is to consider and act upon proposed amendments to the following Article(s) and Section(s) of the Smithfield Zoning Ordinance and Zoning Map:

Amendments to the Zoning Ordinance include changes to the following articles and sections: amend by adding a new Zoning District entitled “*Open Space (OS)*” in Article 1 General Provisions, §1.3 Establishment of Zoning Districts, Article 4 – Use Regulations, Zoning District Abbreviations and, in §4.4 Supplementary Use Regulations, “A-10 Open Space”. Additional amendments include: adding a new sub section “D.” dealing with split lots in Article 1, §1.5 Zone Boundaries; amending a definition in Article 2, §2.2, Specific Definitions, Item 2. *Accessory Dwelling Unit (ADU)*; amending the provisions in Article 4, §4.4 Supplementary Use Regulations, *B-1. Accessory Dwelling Unit (ADU)*; Article – 5 Dimensional Regulations, §5.10 Inclusionary Zoning, *M. In-Lieu-of Fees*; §5.11 Solar Energy Systems, Subsection 2 Definitions, *A. Accessory solar energy system*; and removing definition *G. Medium-scale solar energy system*; §5.11.3 *Permitted Uses And Review Process*; 5.11.3 *Permitted Uses And Review Process*; 5.11.4 *Accessory Solar Energy Systems*; 5.11.6 *General Requirements For Accessory And Principal Solar Energy Systems*; 5.11.7 *Additional Requirements For Principal Solar Energy Systems In Residential Zoning Districts (R-20, R-20M, R-Med, R-80 And R-200)*; and, Article 10.7 Zoning Board Of Review, *J. Voting*.

The proposed Zoning Map amendment involves designating the following lots as Open Space: Assessor’s Plat 11/Lots 2A, 4, 5, 6, 7; AP 12/Lot 1, 1A, 2, 2A; AP 24/Lot 69; AP 25/Lots 47B, 47C, 48; AP 32/Lot 10; AP 33/Lot 1; AP 42/Lots 18, 99, 130A, 213, 254; AP 43/Lots 4, 31A, 72, 79, 79A, 80, 118, 121, 165; AP 44/Lots 3, 10, 31A, 33, 34, 70, 107A, 166, 167, 168; AP 45/Lots 9B, 19, 40, 59, 72, 216; AP 45C/Lot 17; AP 45D/Lots 21, 22, 23; AP 46/Lots 70, 83A, 108, 166; AP 47/Lots 4, 13A, 29, 56A, 168, 219, 276; AP 48/Lots 14, 15, 17, 17A, 26B, 27, 28, 29, 30, 32A; AP 49/Lots 6B, 13, 60, 82, 87, 89, 90, 94, 139, 178, 250; AP 49D/Lots 11, 12; AP 50/Lots 5, 7, 8, 43

These amendments are proposed to be made in accordance with the provisions of 45-24-53 of the General Laws of the State of Rhode Island (1956, as amended).

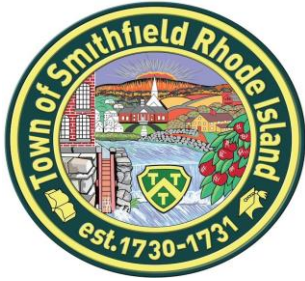
At said Hearing opportunity will be given to all interested persons to be heard upon the proposed amendments. The proposed amendments may be altered or amended prior to the close of the Public Hearing, without further advertising, as a result of further study or because of the views expressed at the Public Hearing. Any alteration or amendment must be presented for comment in the course of the Hearing.

A complete copy of the proposed amendments and map are available for inspection or copying at the Smithfield Planning Office, Town Hall, 64 Farnum Pike, Smithfield, Rhode Island during regular business hours (8:30 AM – 4:30 PM, Monday – Friday). Interested persons requiring special accommodations or assistance are requested to notify the Town Manager's Office (401-233-1010) at least 48 hours in advance of the Hearing.

BY ORDER OF THE TOWN COUNCIL.
T. Michael Lawton, President

Please publish as a display ad in the February 2nd, February 9th and February 16th editions of the Breeze using type size at least as large as the normal type size used in news articles.





Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Continuance of a Public Hearing from December 20, 2022 to the January 17th Town Council Meeting

Continue a public hearing from December 20, 2022 to consider, discuss, and act upon the renewal of the following Intoxicating Beverage License, as listed, as applied, subject to compliance with all State regulations, local ordinances, and a Certificate of Good Standing from the RI Division of Taxation.

1. Copperfield's Inc. d/b/a "Copperfield's Bar & Grill", 9 Cedar Swamp Road (approved for outdoor bar service)



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of Intoxicating Beverage Licenses for the January 17th Town Council Meeting

BACKGROUND:

Intoxicating Beverage Licenses are due for renewal. There are several more businesses that have submitted completed paperwork, but have not yet received their Certificate of Good Standing.

TOWN REVENUE:

The cost to renew a Class A Retailer's Beverage License is \$1,000.00. The cost to renew a Class B-Victualler and Class BV-Limited License is \$600.00. The cost to renew the C-Bar License is \$600.00. The cost to renew a Class D Club License is \$200.00.

APPROVAL STATUS:

All paperwork is complete for renewal by the Town Council.

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of the following Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances, and a Certificate of Good Standing from the RI Division of Taxation.

CLASS B-VICTUALLER BEVERAGE LICENSES

1. TMG Trap North d/b/a “The Trap North Brew Pub & Grille”, 10 Smith Avenue (approved for outdoor bar service)



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Conduct a Public Hearing for the January 17th Town Council Meeting

RECOMMENDED MOTION:

Conduct a Show Cause Hearing to consider the possible suspension, revocation or other sanction regarding Liquor Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. DLA, LLC d/b/a “Parma Ristorante”, 266 Putnam Pike, Unit 1 (Failure to produce a Certificate of Good Standing, a copy of TIP Cards and outstanding tangible taxes)
2. Rebel Alliance Group, LLC d/b/a “Bistecca Chop House”, 332 Farnum Pike (Failure to obtain a Certificate of Good Standing, copy of food license and a copy of the Retail Sales Permit)
3. Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C (Failure to produce a Certificate of Good Standing)
4. Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1 (Failure to produce a copy of the Retail Sales Permit, copy of the food license and a copy of the TIP Cards)



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

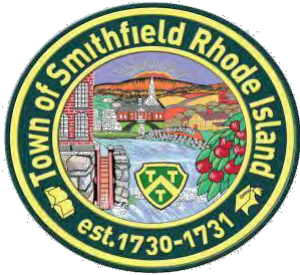
FROM: Carol Banville – License Coordinator

SUBJECT: Conduct a Show-Cause Hearing for the January 17th Town Council Meeting

RECOMMENDED MOTION:

Conduct a Show-Cause Hearing for to consider the possible suspension, revocation, or other sanction regarding the Victualling Only Licenses on the following listed establishments due to non-compliance with the conditions of renewal:

1. Ivy and Lace Bake Shop, LLC d/b/a “The Ivy and Lace Bakeshop”, 546 Putnam Pike (Failure to produce necessary paperwork required for renewal)
2. JPC Pizza, Inc. d/b/a “Ronzio Pizza”, 1150 Douglas Pike (Failure to produce necessary paperwork required for renewal)
3. Jason Marino d/b/a “Juice Bar & Co.”, 266 Putnam Pike (Failure to pay outstanding tangible taxes and a copy of the Retail Sales Permit)
4. Melissa Carbone d/b/a “Bree’s Deli”, 115 Pleasant View Avenue #1 (Failure to produce necessary paperwork required for renewal)
5. The Level 10 Nutrition Club, LLC, d/b/a “The Level 10 Nutrition Club”, 10C Cedar Swamp Road (Failure to produce a copy of the Retail Sales Permit)
6. The Sevigny Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike (Failure to produce necessary paperwork required for renewal)



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of Entertainment Licenses for the January 17th Town Council Meeting

BACKGROUND:

Entertainment Licenses are due for renewal. The businesses listed below have filed their applications for renewal.

TOWN REVENUE:

The cost to renew an Entertainment License is \$50.00

APPROVAL STATUS:

All paperwork is complete for renewal by the Town Council

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the renewal of two (2) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. TMG Trap North, d/b/a “The Trap North Brew Pub & Grille”, 10 Smith Avenue
2. Copperfield’s Inc. d/b/a “Copperfield’s Bar & Grill”, 9 Cedar Swamp Road



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville, License Coordinator

SUBJECT: Annual renewal of all Special Dance Licenses for January 17th the Town Council Meeting.

BACKGROUND:

Special Dance Licenses are due for renewal. The businesses listed below have filed their application for renewal.

TOWN REVENUE:

The cost to renew a Special Dance License is \$1.00 per year.

APPROVAL STATUS:

All paperwork is complete for renewal by the Town Council

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the renewal of two (2) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. TMG Trap North, d/b/a "The Trap North Brew Pub & Grille", 10 Smith Avenue
2. Copperfield's Inc. d/b/a "Copperfield's Bar & Grill", 9 Cedar Swamp Road



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: One (1) One –Day Beer/Wine License for the Smithfield Senior Center for the January 17th Town Council Meeting

BACKGROUND:

The Smithfield Senior Center has applied for one (1) One-Day Beer/Wine License.

TOWN REVENUE:

The fee for a Beer/Wine License is \$15.00 per day. Under State Law this fee cannot be waived.

SUPPORTING DOCUMENTS:

Copy of License Application
Copy of BCI – No record
TIP Cards
Letter of explanation

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve one (1) One-Day Beer/Wine License as follows:

- New Year’s Party to be held on Thursday, January 19, 2023 from 12:00 p.m. to 3:00 p.m.

The party will take place at the Smithfield Senior Center, One William J. Hawkins, Jr. Trail from 12:00 p.m. to 3:00 p.m., as listed, as applied, subject to compliance with all State regulations and local ordinances.

OF SMITHFIELD
TOWN OF SMITHFIELD
 PAYMENT CERTIFICATE
 OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: \$15.00
 Per Day

1. AMOUNT CLAIMED VERIFIED
2. GOODS/SERVICES RECEIVED
3. VOUCHER NUMBER 9016
4. ACCOUNT NUMBER 74-07-51
5. CERTIFIED FOR PAYMENT

PLEASE COMPLETE APPLICATION AND RETURN WITH FEE TO THE OFFICE OF THE TOWN CLERK BY:

PLEASE PRINT:
 Note: Please fill in ALL the necessary information
 BY Kim O'Brien DATE 12/30/22

Date of Application: 12/30/22

Type of License: CLASS-F (BEER & WINE) Check One: New Renewal Transfer

Name of Applicant: [Signature]

Date of Birth: 8/25/75

Resident Address: [Signature]

Business Address: William J. Hartman Jr 471 Plat Lot

Operating Under Trade Name of: _____

Resident Telephone: _____ Business Telephone: 949-450

If incorporated, fill in necessary information: State: Title, Date of Birth, Partner's/Owner's (Other than person applying) (Pres., Vice Pres., Sec., Treas.)

Name: _____ Address: _____ Title: _____ DOB: _____
 Name: _____ Address: _____ Title: _____ DOB: _____
 Name: _____ Address: _____ Title: _____ DOB: _____

Describe operation of business: _____

Hours of Operation: _____

Signature of Applicant: [Signature]

Title: dept. coordinator

Applies to business establishments only:

In case of emergency/person to contact

Name: _____ Address: _____ Phone: _____
 Name: _____ Address: _____ Phone: _____

Police Chief: [Signature]
 Building Official: _____
 RI Dept. of Health: _____

For Official Use Only

Fire Chief: _____
 Owner of premises: Helen Armstrong

SIGNATURE NOT REQUIRED

At a meeting of the Smithfield Town Council, held on _____

the above stated application was:

() Approved () Denied

License #: 1 Date Issued: 11/20/23



CERTIFIED

Issued: 2/24/2020
ID#: 5310702

Expires: 2/11/2023

STEVEN D BEAULIEU
1395 Atwood Ave Ste 208
Johnston, RI 02919-4931

For service visit us online at www.gettips.com
TIPS Trainer: Renee Desrosiers, 59028



CERTIFIED

Issued: 2/24/2020
ID#: 5310704

Expires: 2/11/2023

KAREN L ARMSTRONG
1395 Atwood Ave Ste 208
Johnston, RI 02919-4931

For service visit us online at www.gettips.com
TIPS Trainer: Renee Desrosiers, 59028

tips On Premise **CERTIFIED**
Issued: 2/24/2020 Expires: 2/11/2023
ID# 5310706
KATHLEEN MCADAM-PRICKETT
1395 Atwood Ave Ste 208
Johnston, RI 02819-4931
For service visit us online at www.gettips.com
Renee Desrosiers, 59028



Town of Smithfield

Smithfield Senior Center

One William J. Hawkins Jr. Trail, Smithfield, RI 02828
Telephone (401) 949-4590 Fax (401) 949-4593

December 30, 2022

Town of Smithfield
Office of the Town Clerk
64 Farnum Pike
Smithfield, RI 02917

Members of the Town Council:

The Smithfield Senior Center will be hosting a New Year's party on Thursday, January 19, 2023. The party will be from 12:00 – 3:00. Wine and beer will be served.

I am asking for your approval for a permit for this function. Thank you.

Sincerely,

Kate McAdam-Prickett
Assistant Director/Activity and Program Coordinator



Memorandum

DATE: January 11, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of three (3) Victualling Only Licenses for the January 17th Town Council Meeting

BACKGROUND:

Victualling Licenses are due for renewal the first week in December. The businesses listed below have filed their applications for renewal.

TOWN REVENUE:

The cost to renew the Victualling Only License is \$50.00 per year.

APPROVAL STATUS:

Applications are complete for approval by the Town Council.

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of three (3) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
2. Fresh Pita, LLC d/b/a “Fresh Pita”, 777 Putnam Pike
3. J’s Delicatessen, Inc. d/b/a “J’s Delicatessen”, 285 George Washington Highway

Recommended Motion:

That the Smithfield Town Council hereby adopts a resolution to replace a resolution dated September 7, 2021 establishing the Camp Shepard Subcommittee.

RESOLUTION

TOWN OF SMITHFIELD, RHODE ISLAND

WHEREAS, the Town of Smithfield has acquired certain real property known as Camp Shepard located at 71 Colwell Road; and

WHEREAS, the Town Council recognizes the substantial benefits of public and staff input regarding the necessity for long term planning of the property for the residents of the Town of Smithfield; and

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council that the Camp Shepard Sub-Committee is hereby created with a composition, term, charge, and ground rules as follows:

1. The Camp Shepard Sub-Committee shall consist of twelve (12) members who shall serve at the pleasure of the Town Council.
2. The Camp Shepard Sub-Committee shall be comprised of the following twelve (12) members: a Town Council member selected by the Town Council, a Member of Asset Management Commission, a Member of the Land Trust, a Member of the Conservation Commission, a Member of the Historic Preservation Commission, the Director of Parks and Recreation, the Town Planner, the Town Manager, the Director of Smithfield YMCA, and three (3) Town residents to be selected by the Town Council.
3. Sub-Committee members shall serve in an advisory capacity at the pleasure of the Town Council and may, by a majority Town Council vote, be appointed, dismissed, and/or replaced.
4. The Camp Shepard Sub-Committee shall select a chair and a vice-chair who shall conduct the meetings of the Sub-Committee.

5. The Town will provide support staff to the sub-committee, to include preparation of agendas and minutes, compilation of materials for discussion at meetings, and to assistance with public outreach efforts.

6. Goals of the Camp Shepard Sub-Committee are as follows:

- a. Facilitate community engagement in creating a long-term plan for the property and identifying those uses that may be most suitable for the residents of our Town.
- b. Identify strategies that will delineate proposed recreational, leisure and cultural uses consistent with the goals of the Town's Comprehensive Community Plan.
- c. Engage and work with any necessary consultants to develop a comprehensive plan and long-term vision for the property. The plan should include potential project phasing and a review of alternative funding sources.
- d. Present recommendations to the Smithfield Town Council on how to achieve the goals above.

7. This resolution will replace the resolution dated September 7, 2021 and will take effect immediately upon its passage by the Town Council.

PASSED: January 17, 2023

APPROVED:

T. Michael Lawton, President
Smithfield Town Council

Lyn M. Antonuccio, CMC
Acting Town Clerk

RESOLUTION

TOWN OF SMITHFIELD, RHODE ISLAND

WHEREAS, the Town of Smithfield has acquired certain real property known as Camp Shepard located at 71 Colwell Road; and

WHEREAS, the Town Council recognizes the substantial benefits of public and staff input regarding the necessity for long term planning of the property for the residents of the Town of Smithfield; and

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council that the Camp Shepard Sub-Committee is hereby created with a composition, term, charge, and ground rules as follows:

1. The Camp Shepard Sub-Committee shall consist of nine (9) members who shall serve at the pleasure of the Town Council.

2. The Camp Shepard Sub-Committee shall be comprised of the following nine (9) members: a Town Council member selected by the Town Council, a Member of Asset Management Commission, the Director of Parks and Recreation, the Town Planner, the Town Manager, the Director of Smithfield YMCA, and three (3) Town residents to be selected by the Town Council.

3. Sub-Committee members shall serve in an advisory capacity at the pleasure of the Town Council and may, by a majority Town Council vote, be appointed, dismissed, and/or replaced.

4. The Camp Shepard Sub-Committee shall select a chair and a vice-chair who shall conduct the meetings of the Sub-Committee.

5. The Town will provide support staff to the sub-committee, to include preparation of agendas and minutes, compilation of materials for discussion at meetings, and to assistance with public outreach efforts.

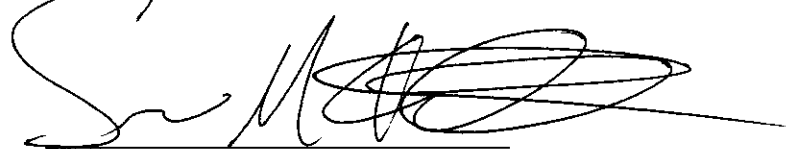
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- a. Facilitate community engagement in creating a long term plan for the property and identifying those uses that may be most suitable for the residents of our Town.
- b. Identify strategies that will delineate proposed recreational, leisure and cultural uses consistent with the goals of the Town's Comprehensive Community Plan.
- c. Engage and work with any necessary consultants to develop a comprehensive plan and long-term vision for the property. The plan should include potential project phasing and a review of alternative funding sources.
- d. Present recommendations to the Smithfield Town Council on how to achieve the goals above.

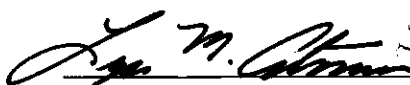
7. This resolution will take effect immediately upon its passage by the Town Council.

PASSED: September 7, 2021

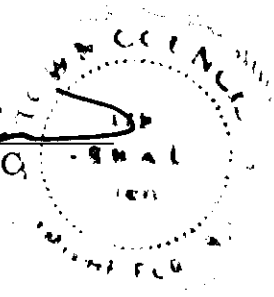
APPROVED:



Sean M. Kilduff, Vice President
Smithfield Town Council



Lyn M. Antonuccio, CMC,
Acting Town Clerk





Town of Smithfield

OFFICE OF FINANCE DIRECTOR/TAX COLLECTOR
64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917
TELEPHONE: (401) 233-1072 FACSIMILE: (401) 233-1060
EMAIL: DCAREY@SMITHFIELDRI.COM

DANIELLE CAREY
FINANCE DIRECTOR

DATE: January 12, 2023
TO: The Honorable Smithfield Town Council
Cc: Randy R. Rossi, Town Manager
FROM: Danielle Carey, Finance Director
RE: Audited Financials for the Fiscal Year Ended June 30, 2022

Background:

The audit document is a compilation of the Town's financial results for the Fiscal Year Ended June 30, 2022, reviewed and presented by a certified public accounting firm according to generally accepted accounting principles.

Financial Impact:

The Town Council's acceptance of this document will enable the Town to forward copies of the document to rating agencies, financial institutions, and appropriate state agencies.

Filing this document on a timely basis will enable and enhance the Town's strength when the Town is ready to issue bonds in the future for the fire station or any other financing opportunities as they may arise.

MOTION:

That the Smithfield Town Council accepts the audited financial statements for the Fiscal Year Ended June 30, 2022 from the audit firm of Hague, Sahady & Co., P.C.



ROBERT W. SELTZER
CHIEF OF DEPARTMENT

SMITHFIELD FIRE DEPARTMENT

"To Help People"
HEADQUARTERS, STATION NO. 1
607 PUTNAM PIKE
SMITHFIELD, RHODE ISLAND 02828
www.smithfieldfire.com



TEL. (401) 949-1330
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: January 10, 2023

Re: Capital Lease Fund Approval for the Purchase of a 2023 Ford Superduty F550 Wheeled Coach Ambulance

Dear Town Council Members,

The purchase of a 2023 Ford Superduty F550 Wheeled Coach Ambulance was approved by the Town Council in July of 2022. At the time of the approval, the Town of Smithfield Capital Lease Fund request for financing was not submitted.

Therefore, I am requesting that the 2023 Ford Superduty F550 Wheeled Coach Ambulance be financed through the Town of Smithfield's Capital Lease Fund.

A resolution for such request is included with this memo.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Seltzer".

Robert W. Seltzer
Chief of Department

Motion: To approve the resolution that the 2023 Ford Superduty F550 Wheeled Coach Ambulance be financed through the Town of Smithfield's Capital Lease Fund.

"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."

RESOLUTION

AUTHORIZING THE FINANCING OF A 2023 SUPERDUTY F550 4x4 Wheeled COACH/FORD TYPE 1 AMBULANCE THROUGH THE TOWN OF SMITHFIELD'S CAPITAL LEASE FUND, RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Town Council authorized the purchase of a 2023 Ford Superduty F550 Wheeled Coach Ambulance which will be financed through the Town of Smithfield Capital Lease Fund; and

WHEREAS, the 2023 Ford Superduty F550 Wheeled Coach Ambulance is essential for the Town to perform its governmental functions; and

WHEREAS, the Town has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the 2023 Ford Superduty Wheeled Coach Ambulance; and

WHEREFORE, IT IS RESOLVED that:

SECTION 1. The Town Council hereby authorizes the Finance Director and the Town Manager acting on behalf of the Town, to purchase a 2023 Ford Superduty Wheeled Coach Ambulance by a lease/purchase agreement (Lease) and to finance the same through the Capital Lease Fund, subject to annual appropriation therefor by the Town.

SECTION 2. The form and other details, terms and conditions of the Lease, shall be fixed by the Finance Director and the Town Manager, and must be approved by the Town Solicitor.

SECTION 3. The Finance Director and the Town Manager are hereby authorized to enter into the Lease and said officers are hereby authorized and instructed to take all actions, and to execute and deliver the Lease and any related agreements, certificates and other documents in such form, as approved by the Town Solicitor, as they may deem necessary or desirable to implement the Lease purchase financing of the 2023 Ford Superduty Wheeled Coach Ambulance.

SECTION 4. That this Resolution is an affirmative action of the Town Council of the Town toward the execution and delivery of the financing documents in accordance with the purposes of the laws of the State of Rhode Island. This Resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation 1.150-2, to reimburse the Town for certain capital expenditures paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the execution and delivery of the Lease. Such amounts to be reimbursed shall not exceed \$342,123 and shall be reimbursed not later than thirty-six (36) months after (a) the date on which the expenditure is paid or (b) the date the property is placed in service or abandoned, but in no event later than four (4) years after the date the expenditure is paid.

SECTION 5. This Resolution shall take effect upon its passage.

PASSED:

T. Michael Lawton, President
Smithfield Town Council

ATTEST:

Lyn A. Antonuccio
Acting Town Clerk

DATE: _____



ROBERT W. SELTZER
CHIEF OF DEPARTMENT

SMITHFIELD FIRE DEPARTMENT

"To Help People"
HEADQUARTERS, STATION NO. 1
607 PUTNAM PIKE
SMITHFIELD, RHODE ISLAND 02828
www.smithfieldfire.com



TEL. (401) 949-1330
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: January 10, 2023

Re: Authorization to sell our 2010 Pierce Ladder Truck

Dear Town Council Members,

The 2010 Pierce Ladder truck that we own was placed out of service in 2020 due to frame rail erosion that caused the ladder inspection to fail. The frame rail decay was so bad that the inspection company failed the truck because the frame rails were not stable enough to support the extension of the 100 ft. ladder.

After reviewing our options, including replacement of the frame rails at a cost of upwards of \$300,000, and due to other mechanical problems with the power takeoff transmission, it was decided to replace the ladder truck.

We tried to sell the truck to used fire apparatus dealers with no success due to the truck's condition.

Therefore, we are asking authorization to sell the truck on GovDeals.com which is the Town's approved website for selling surplus equipment. Per my discussion with the Town Manager, we are asking permission to sell the truck for no less than \$25,000 (fair price for its condition).

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Seltzer", with a long horizontal flourish extending to the right.

Robert W. Seltzer
Chief of Department

Motion: To authorize the sale of the 2010 Pierce Ladder Truck on GovDeals.com for a price not less than \$25,000.

"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."



TOWN OF SMITHFIELD ASSESSOR

MEMO

Date: January 17, 2023
To: Smithfield Town Council
From: Christopher Celeste, Assessor
Re: Tax Abatements

BACKGROUND:

Abatements are granted by the assessor as a result of assessment appeals on real estate, motor vehicles, and personal property. Adjustments are also made to motor vehicle tax bills to correct for erroneous data received from the Rhode Island Division of Motor Vehicles, including incorrect tax town and registration data. Additionally, the tax collector may request the abatement of taxes deemed to be uncollectible.

FINANCIAL IMPACT:

Total abatements for this period = \$12,508.43

ATTACHMENT:

Abatement Detail Report

MOTION:

Moved that the Smithfield Town Council approve the tax abatements in the amount of \$12,508.43

The abatements contained herein are submitted
for your approval by:

A handwritten signature in black ink, appearing to read "Christopher Celeste".

Christopher Celeste, RICA
Assessor

