

SMITHFIELD TOWN COUNCIL MEETING

OPEN SESSION

TUESDAY
November 21, 2023



**SMITHFIELD TOWN COUNCIL MEETING
SMITHFIELD TOWN HALL
COUNCIL CHAMBERS
64 FARNUM PIKE
TUESDAY, NOVEMBER 21, 2023
5:45 P.M.**

5:45 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 Louis Marchetti for possible appointment to a Town board or commission and Town Manager Annual Review.

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. Minutes:
 - A. Move that the minutes of the November 7, 2023 executive session meeting held pursuant to Rhode Island General Laws Section 42-46-5(a)(5) Real Estate; to consider, discuss and act upon a potential land purchase and Rhode Island General Laws Section 42-46-5(a)(2); Potential Litigation be approved as recorded and sealed.
 - B. Move that the minutes of the November 7, 2023 open session meeting be approved as recorded.
- VII. Consider, discuss and act upon the following possible appointments and reappointments: None.
- VIII. Public Hearings:
 - A. Schedule a public hearing on January 9, 2024 to consider, discuss, and act upon Zoning Ordinance amendments to Sections 4.4 Supplementary Use Regulations and 4.3 Table Of Uses of The Smithfield Zoning Ordinance to add a new use category entitled “Battery Energy Storage Facility” sponsored

by Council Members Rachel S. Toppi and Michael P. Iannotti.

- B. 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 2023-2024

CLASS A RETAILER'S BEVERAGE LICENSES

1. Mac's Liquor Mart, Inc. d/b/a "Mac's Liquor Mart", 200 Pleasant View Avenue
2. Putnam Liquor, Inc. d/b/a "Putnam Pike Liquors", 637B Putnam Pike
3. Putnam Pike Liquors, Inc. d/b/a "B & C Liquor", 253 Putnam Pike

CLASS B-VICTUALLER BEVERAGE LICENSES

1. Apple New England, LLC d/b/a "Applebee's Neighborhood Grill & Bar", 446 Putnam Pike
2. Armenucci, LLC d/b/a "Blackie's Bulldog Tavern", 280 George Washington Highway (approved for outdoor bar service)
3. Brinker International, d/b/a "Chili's Grill & Bar", 371 Putnam Pike, #210
4. BZB Enterprises, Inc. d/b/a "Parente's Family Restaurant", 1114 Douglas Pike (approved for outdoor bar service)
5. Chelo's Steak House, Inc. d/b/a "Chelo's Steak House", 445 Putnam Pike (approved for outdoor bar service)
6. Ditto, Inc. d/b/a "Fresco", 181 George Washington Highway (approved for outdoor bar service)
7. F & F Enterprises, LLC, d/b/a "Wing Power", 5 Sanderson Road (approved for outdoor bar service)
8. Giuseppe's Pizzeria Bistro, Inc. d/b/a "Giuseppe's Pizzeria Bistro", 19D Smith Avenue (approved for outdoor bar service)
9. Josephine's Coffee Bar, Inc., d/b/a "Josephine's Coffee Bar", 19B Smith Avenue
10. New Rainforest, LLC d/b/a "Twelve Acres", 445 Douglas Pike
11. Pastry Land Bakery, Inc., d/b/a "Pastry Land Bakery", 19 Sanderson Road
12. Rangoon, LLC d/b/a "Rangoon Chinese & Japanese Restaurant", 294 Waterman Avenue
13. SVP Corporation d/b/a "Mai Thai Cuisine", 115 Pleasant View Avenue
14. The Last Resort, Inc. d/b/a "The Last Resort", 325 Farnum Pike (approved for outdoor bar service)
15. The Orchard Grill, Inc. d/b/a "The Orchard Grille" 132 Pleasant View Avenue
16. Yamato Steakhouse Smithfield, Inc. d/b/a "Yamato Steakhouse of Japan", 375 Putnam Pike, Unit 30

CLASS B-VICTUALLER LIMITED BEVERAGE LICENSES

1. AKR Corporation d/b/a "Tony's Pizza Palace", 200 Pleasant View Avenue
2. Rally Point Racquet Club, Inc. d/b/a "Rally Point Racquet Club", 15 Church Street

CLASS C – BAR LICENSE

1. Waterman Lake Pub. LLC d/b/a “Village Pub”, 715 Putnam Pike

CLASS D- BEVERAGE LICENSE

1. Smithfield Sportsman’s Club, 14 Walter Carey Road

C. Conduct a public hearing to consider, discuss, and act upon approving the renewal of the following twelve (12) Victualling Only Licenses to include renewal of the Extended Hours of Operation, as listed, as applied, subject to compliance with all State Regulations and local ordinances:

1. 7-Eleven Store#32614A d/b/a “7-Eleven#32614A”, 970 Douglas Pike to extend hours of operation to **24/7 hours.**
2. Colbea Enterprises, LLC d/b/a “Seasons Corner Market”, 947 Douglas Pike to extend hours of operation to **24/7 hours.**
3. Colbea Enterprises, LLC d/b/a “Shell #36”, 368 Putnam Pike to extend hours of operation to **24/7 hours.**
4. Cumberland Farms Inc., d/b/a “Cumberland Farms #1251”, 353 Waterman Avenue to extend hours of operation to **24/7 hours.**
5. DKS Coffee, Inc., d/b/a “Dunkin’ Donuts”, 970 Douglas Pike to extend hours of operation to **4:00 a.m. to 12:00 a.m.**
6. Greenville Donuts, LLC d/b/a “Dunkin’ Donuts”, 385 Putnam Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**
7. Greenville Donuts, LLC d/b/a “Dunkin’ Donuts”, 471 Putnam Pike to extend hours of operation to **24/7 hours,** with the stipulation that the Drive-Thru Window will be closed from 2:00 a.m. to 4:30 a.m.
8. Greenville Donuts, LLC d/b/a “Dunkin’ Donuts”, 639B Putnam Pike to extend hours of operation to **5:00 a.m. to 10:00 p.m.**
9. Ionian, Inc. d/b/a “Dunkin’ Donuts”, 259 Putnam Pike #1 to extend hours of operation to **4:00 a.m. to 12:00 a.m.**
10. JMK Enterprises, Inc. d/b/a “Smithfield Mobil”, 364 Putnam Pike to extend hours of operation to **24/7 hours.**
11. KAC Foods, Inc. d/b/a “McDonald’s”, 445 Putnam Pike, Unit 19 to extend hours of operation to **4:30 a.m. to 2:00 a.m.**, the Drive –Thru Window portion of the restaurant will remain open with the hours of operation to be **24/7 hours** Monday through Sunday.
12. Wedge Donuts, Inc. d/b/a “Dunkin’ Donuts”, 151 Douglas Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**

IX. Licenses:

- A. Consider, discuss, and act upon approving the renewal of seven (7) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. Armenucci, LLC, d/b/a “Blackie’s Bulldog Tavern”, 280 George Washington Highway
 2. BZB Enterprises, Inc. d/b/a “Parente’s Family Restaurant”, 1114 Douglas Pike
 3. Chelo’s Steak House, Inc. d/b/a “Chelo’s Steak House”, 445 Putnam Pike
 4. Ditto, Inc. d/b/a “Fresco”, 181 George Washington Highway

5. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road
 6. New Rainforest, LLC d/b/a “Twelve Acres”, 445 Douglas Pike
 7. The Last Resort, Inc. d/b/a “The Last Resort”, 325 Farnum Pike
- B. Consider, discuss, and act upon approving the renewal of six (6) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. Armenucci, LLC d/b/a “Blackie’s Bulldog Tavern”, 280 George Washington Highway
 2. Ditto, Inc. d/b/a “Fresco”, 181 George Washington Highway
 3. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road
 4. New Rainforest, LLC d/b/a “Twelve Acres”, 445 Douglas Pike
 5. Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail
 6. The Last Resort, Inc. d/b/a “The Last Resort”, 325 Farnum Pike
- C. Consider, discuss, and act upon approving the renewal of forty-four (44) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. ALG 33 Enterprises, Inc. d/b/a “Piezoni’s”, 259 Putnam Pike
 2. A & W of Rhode Island, Inc. d/b/a “A & W”, 460 Putnam Pike
 3. B & B Hospitality, Inc. d/b/a “Sure Stay Plus by Best Western”, 355 George Washington Highway
 4. Bacon N Beanz Café, LLC d/b/a “Bacon N Beanz Café”, 345 Waterman Avenue
 5. Barnes & Noble Booksellers, Inc. d/b/a “Barnes & Noble #2082”, 371 Putnam Pike, Suite 330
 6. Botan, LLC d/b/a “Wise Guys Deli”, 1201 Douglas Pike
 7. Brewology, LLC d/b/a “Brewology”, 101 Pleasant View Avenue
 8. Bryant Coffee, Inc. d/b/a “Dunkin Donuts”, 1150 Douglas Pike
 9. CC Smithfield, Inc. d/b/a “Coffee Connection”, 665 Douglas Pike, Unit A
 10. CALM Enterprises, Inc. d/b/a “Del’s of Smithfield”, 115 Pleasant View Avenue
 11. Card, Inc. d/b/a “Gigi’s Scoops”, 265 Putnam Pike
 12. Cava Mezze Grill, LLC d/b/a “CAVA”, 473 Putnam Pike, Suite A2
 13. Country Creamery, Inc. d/b/a “Country Creamery”, 3 Commerce Street
 14. DE Foods, LLC d/b/a “Kentucky Fried Chicken/Taco Bell”, 421 Putnam Pike
 15. DNL Food, Inc. d/b/a “Tin Tsin Restaurant”, 400K Putnam Pike
 16. Daniel Dumican d/b/a “Daily Catch Seafood of Smithfield”, 9 Cedar Swamp Road
 17. Darshan Gandhi d/b/a “Home 2 Suites”, 944 Douglas Pike
 18. Dave’s Fruitland, Inc. d/b/a “Dave’s Marketplace of Smithfield”, 4 Cedar Swamp Road
 19. Dave’s Marketplace of Smithfield, Inc. d/b/a “Dave’s Marketplace”, 371 Putnam Pike, Suite 590
 20. Excel Feeders, LLC d/b/a “Subway”, 445 Putnam Pike
 21. Excel Holdings 17, LLC d/b/a “Hampton Inn and Suites Providence/Smithfield”, 945 Douglas Pike
 22. Fresh Pita, LLC d/b/a “Fresh Pita”, 777 Putnam Pike

23. Global Montello Group Corp. d/b/a “Alltown Smithfield”, 471 Putnam Pike
24. Howley Bread Group, LTD d/b/a “Panera Bakery Café”, 473 Putnam Pike
25. JM of Smithfield, LLC d/b/a “Jersey Mike’s Subs”, 473 Putnam Pike
26. J & M Way Enterprises, Inc. d/b/a “Island Fin Poke Company”, 445 Putnam Pike
27. KelCarQ, LLC d/b/a “KelCarQ BBQ”, 375 Putnam Pike, Suite 25
28. LNP Enterprises, Inc. d/b/a “Domino’s Pizza”, 9 Cedar Swamp Road Suite 2
29. Melissa Carbone d/b/a “Bree’s Deli”, 115 Pleasant View Avenue #1
30. New England Authentic Eats, LLC d/b/a “D’Angelo Sandwich Shop”, 375 Putnam Pike
31. New England Authentic Eats d/b/a “Papa Gino’s”, 400 Putnam Pike
32. Newport Creamery, LLC #12, d/b/a “Newport Creamery #12”, 568 Putnam Pike
33. Pat & Mike’s Bagels, LLC d/b/a “Café Such a Bagel”, 445 Putnam Pike, Unit 8
34. Plant City X Bryant, LLC d/b/a “Plant City X Bryant”, 1150 Douglas Pike
35. Popovo, LLC d/b/a “Athens Pizza House”, 1 Austin Avenue
36. Powder Mill Creamery and Coffee Roasters, d/b/a “Powder Mill Creamery & Coffee Roasters”, 777 Putnam Pike
37. Princes & Sons Pizza, Inc. d/b/a “Depetrillo’s Pizza & Bakery”, 105 Pleasant View Avenue
38. Quicket’s, Inc. d/b/a “Quicket’s”, 285 George Washington Highway
39. Slice and Scoop, Inc. d/b/a “Slice and Scoop”, 665 Douglas Pike, Unit B
40. Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail
41. Speedway, LLC d/b/a “Speedway #02821”, 263 Putnam Pike
42. St. Philip Church, 622 Putnam Pike
43. Starbucks Corporation d/b/a “Starbucks Coffee #17343”, 400 Putnam Pike
44. The Stop & Shop Supermarket Co., LLC d/b/a “Stop & Shop Supermarket #705”, 446 Putnam Pike

- D. Consider, discuss, and act upon approving a new Victualling Only License for Addie & Colts Bagels, LLC d/b/a “Café Such a Bagel Too”, 285 George Washington Highway, as applied, subject to compliance with all State regulations and local ordinances.

X. Old Business: None

XI. New Business:

- A. Consider, discuss, and act upon authorizing the Fire Department to purchase Ballistic Protective Equipment in an amount not to exceed forty-five thousand dollars and zero cents (\$45,000.00) to be funded from the Bryant University billing account.
- B. Consider, discuss, and act upon authorizing the Fire Department to purchase two (2) Hurst Jaws of Life tools from Firematic Supply Co., Inc. of Milford, MA, through the Massachusetts Master Pricing Agreement PSE01, in the

amount of thirty thousand, five hundred dollars and zero cents (\$30,500.00).

- C. Consider, discuss, and act upon rescinding a request for proposals for the sale of the William Winsor Elementary School.
- D. Consider, discuss, and act upon authorizing a request for proposals for the sale of the William Winsor Elementary School pending final approval by the Town Solicitor.
- E. Consider, discuss, and act upon authorizing a re-amortization of the Police and Fire Pension Funds as recommended by the Police and Fire Pension Committee.

XII. Public Comment.

XIII. Adjournment.

AGENDA POSTED: FRIDAY, NOVEMBER 17, 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.

PLEASE SEE EXECUTIVE
SESSION ENVELOPE

MINUTES OF SMITHFIELD TOWN COUNCIL MEETING

Date: Tuesday, November 7, 2023

Place: Smithfield Town Hall

Time: 6:15 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 (excused)
Attorney David A. Ursillo
Town Clerk Lyn M. Antonuccio

I. President Lawton calls the Tuesday, November 7, 2023 Smithfield Town Council Meeting to order at 7:00 p.m.

At 6:15 p.m., a motion was made by Member Toppi, seconded by Vice President Iannotti, to convene into executive session to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(5) Real Estate; to consider, discuss and act upon a potential land purchase and Rhode Island General Laws Section 42-46-5(a)(2); Potential Litigation. The motion was unanimously approved.

President Lawton reported that was one (1) vote taken in Executive Session: Real Estate; to consider, discuss and act upon a potential land purchase of 24,819 sq. ft., AP 46, Lot 166, in the amount of \$10,850. The vote was 5/0 in favor of the purchase.

Member Tassoni offers a moment of silence on behalf of Captain Joe Mattera.

II. President Lawton offers a prayer.

III. Salute to the flag.

IV. Emergency Evacuation and Health Notification

V. Presentations:

A. Smithfield Animal Control – “Best Friends Animal Society” Award.

On behalf of the Town Council Smithfield Animal Control is awarded with a plaque for recognition on achieving a 90% save rate for calendar year 2023.

VI. Minutes:

Move that the minutes of the October 17, 2023 executive session meeting held pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Norberto Alvarado, II for possible appointment to a Town board or commission

**and Rhode Island General Laws Section 42-46-5(a)(2);
Potential Litigation be approved as recorded and sealed.**

Motion is made by Vice President Iannotti, seconded by Member Toppi, that the minutes of the October 17, 2023 amended executive session meeting minutes be approved as recorded and sealed. **Motion is approved by a 4/0 vote. Member Tassoni abstains.**

- A. Move that the minutes of the October 17, 2023 open session meeting be approved as recorded.**

Motion is made by Member Tassoni, seconded by Member Kilduff, that the minutes of the October 17, 2023 open session meeting minutes 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. Land Trust appointment with a term expiring in September of 2024.**

Motion is made by Vice President Iannotti, seconded by Member Toppi, that the Smithfield Town Council hereby appoints Norberto Alvarado, II to the Land Trust with a term expiring in September of 2024. **Motion is approved by a unanimous 5/0 vote.**

- B. Board of Canvassers appointment with a term expiring in March of 2025.**

Motion is made by Vice President Iannotti, seconded by Member Tassoni, hereby appoints Charles Jackvony to the Board of Canvassers with a term expiring in March 2025. **Motion is approved by a 4/0 vote. Member Kilduff recuses himself.**

- C. Zoning Board appointment with a term expiring in May of 2024.**

Motion is made by Vice President Iannotti, seconded by Member Toppi, hereby appoints Frank E. Smith as second alternate on the Zoning Board with a term expiring in May 2024. **Motion is approved by a unanimous 5/0 vote.**

VIII. Public Hearings:

- A. Schedule a public hearing on December 5, 2023 to consider and act upon amendments to the Code of Ordinances Chapter 118 entitled "Alcoholic Beverages".**

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby schedules a public hearing on December 5, 2023 to consider and act upon amendments to the Code of Ordinances Chapter 118 entitled "Alcoholic Beverages". **Motion is approved by a unanimous 5/0 vote.**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council hereby schedules a public hearing on December 5, 2023 to consider and act upon amendments to the Code of Ordinances Chapter 122 entitled “Amusements, Coin-Operated”. **Motion is approved by a unanimous 5/0 vote.**

- B. Schedule a public hearing on December 5, 2023 to consider and act upon amendments to the Code of Ordinances Chapter 268 entitled “Peddling and Soliciting”.**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council hereby schedules a public hearing on December 5, 2023 to consider and act upon amendments to the Code of Ordinances Chapter 268 entitled “Peddling and Soliciting”. **Motion is approved by a unanimous 5/0 vote.**

IX. Licenses:

- A. Consider, discuss, and act upon approving a new Victualling License for the Board Room, LLC d/b/a “The Board Room”, 95 Douglas Pike with the hours of operation to be Monday through Sunday from 6:00 a.m. to 1:00 a.m., as applied, subject to compliance with all State regulations, local ordinances and final approval from the RI Department of Health.**

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve a new Victualling License for the Board Room, LLC d/b/a “The Board Room”, 95 Douglas Pike with the hours of operation to be Monday through Sunday from 6:00 a.m. to 1:00 a.m., as applied, subject to compliance with all State regulations, local ordinances and final approval from the RI Department of Health. **Motion is approved by a unanimous 5/0 vote.**

- B. Consider, discuss, and act upon approving a new Victualling Only License for JGKG Enterprises, LLC d/b/a “The Fresh Monkee”, 9 Cedar Swamp Road, Suite 5, as applied, subject to compliance with all State regulations and local ordinances, final approval from the RI Department of Health and a Certificate of Occupancy from the Building/Zoning Official’s Office.**

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve a new Victualling Only License for JGKG Enterprises, LLC d/b/a “The Fresh Monkee”, 9 Cedar Swamp Road, Suite 5, as applied, subject to compliance with all State regulations and local ordinances, final approval from the RI Department of Health and a Certificate of Occupancy from the Building/Zoning Official’s Office. **Motion is approved by a unanimous 5/0 vote.**

- C. Consider, discuss, and act upon approving a new Massage Establishment License for Enliven Massage Therapy, LLC d/b/a “Enliven Massage Therapy”, 600 Putnam Pike, as applied, subject to compliance with all State regulations and local ordinances.**

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve a new Massage Establishment License, as applied, subject to compliance with all State regulations and local ordinances:

1. Enliven Massage Therapy, LLC d/b/a “Enliven Massage Therapy”, 600 Putnam Pike

Motion is approved by a unanimous 5/0 vote.

- D. Consider, discuss, and act upon approving a new Massage Therapy License for Holly Bynum to conduct Therapeutic Massage at “Enliven Massage Therapy”, 600 Putnam Pike, as applied, subject to compliance with all State regulations and local ordinances.**

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve a new Massage Therapy License for Holly Bynum to conduct Therapeutic Massage at “Enliven Massage Therapy”, 600 Putnam Pike, as applied, subject to compliance with all State regulations and local ordinances. **Motion is approved by a unanimous 5/0 vote.**

X. Old Business:

- A. Consider, discuss, and act upon approving a new B-Victualler Liquor License for The Board Room, LLC d/b/a “The Board Room”, 95 Douglas Pike, with the hours of operation to be Monday through Sunday 6:00 a.m. to 1:00 a.m., as applied, subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health, and a diagram/plan for parking.**

Town Clerk Antonuccio explains that she received another drawing today, however, it is a replica of what is in the council’s packet.

Town Manager Rossi explains that he received notification from the Police Department and Fire Department stating that they have reviewed the plan and visited the property; both departments have given their signoff on the parking plan.

Thomas Frezza of 20 Twin River Road states the following: His family owns 3 and 5 Twin River Road. He expresses his concerns about having entertainment, people hanging around outside, hours of operation, having an outside deck, lights, dumpster location, the permeation of smoke, and the smoking of cannabis cigars.

Domenic Grieco the owner of this proposed establishment feels that an Entertainment License is something separate, and he is only applying for a Liquor and Food License.

Town Clerk Antonuccio explains that an Entertainment License is a separate license, and they have not applied.

Mr. Grieco addresses each concern and explains the following: He is in the process of a renovation, and he has no plans to have a deck. He is sure when they “go in for the renovation of property” the abutters will be notified, and at that time they can express their concerns. He owns the property next door, and there are two (2) dumpsters on that property. The trash will be disposed of at his facility next door or removed and disposed of in a different manner. Patrons will be smoking inside and outside, and he is not sure if you will be able to smell the smoke. Most of the time smoking will take place indoors, and this will be a low key, high class lounge. He operates several businesses in the Town and in abutting towns, and he holds his businesses to the highest standard. If the noise becomes an issue, he is available 24/7 and can address this with the abutters immediately.

Mr. Frezza expresses his concerns about the lights shining into the front yard of the house. Mr. Frezza states that he is very close to this establishment, and he does not want his tenants have to deal with the smell of cigar smoke late at night.

Member Toppi would like confirmation of the hours of operation. Mr. Grieco states that he is contemplating 9:00 a.m. to 11:00 p.m., and the closing time may change to 10:00 p.m. depending on the weekday.

President Lawton questions where the main entrance is located compared to his house. Mr. Grieco states that his house abuts the left rear corner. President Lawton questions the outside smoking designation. Mr. Grieco states that there will be a patio located on the far right side which will be further away from his tenant’s home.

Member Toppi states that “Cedar Spill” has a system where you cannot smell smoke inside. Mr. Grieco states that the inside ventilation system is very high end, and the smoke will not permeate your clothes.

Mr. Frezza shows the members a photo of the distance/location between his house and the establishment.

Town Manager Rossi states that the licenses they are applying for are “internal”, and there has been no application for an Entertainment License or a request for outdoor seating. Town Clerk Antonuccio confirms that an application for an Entertainment License or a request for outdoor seating has not been applied for.

Vice President Iannotti states that he would like to amend the original motion to condition the granting of the Liquor License and require that there be no loud noise, music, or other nuisance shall be permitted to annoy nearby residents, persons on adjoining properties, street, or sidewalks.

Vice President Iannotti further states that he has taken that language from the new ordinance, and the council can condition this Liquor License as well, as part of the Liquor License approval. Vice President Iannotti expresses his concern about the proximity of a residence to a business like this. Vice President Iannotti wants to ensure that there are conditions on there so residents have a recourse should a problem develop.

President Lawton questions how this will be enforced. President Lawton also questions if decibel readings will be taken.

Member Tassoni questions the distance in feet. Mr. Grieco states the house and his establish are approximately 200' apart. Member Tassoni reminds the members smoke goes up and not sideways. Member Tassoni also reminds the members that Mr. Frezza already has a recourse, and the owner will have to appear before the council.

Motion is made by Vice President Iannotti, seconded by Member Toppi, that the Smithfield Town Council approve a new B-Victualler Liquor License for The Board Room, LLC d/b/a "The Board Room", 95 Douglas Pike, with the hours of operation to be Monday through Sunday 6:00 a.m. to 1:00 a.m., as applied, subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health, a diagram/plan for parking, there be no loud noise, music, or other nuisance shall be permitted to annoy nearby residents, persons on adjoining properties, street, or sidewalks. **Motion is approved by a 3/2 vote. Member Kilduff and President Lawton vote nay.**

XI. New Business:

A. Consider, discuss, and act upon authorizing a one-year contract extension with Camp, Dresser, McKee-Smith for Sewer Authority consulting services.

Town Engineer Kevin Cleary explains the following: This extension of this contract was recommended by the Sewer Authority. In the spirit of keeping this on time, this would be an appropriate time to revise this for a second year. There are no changes to the terms or conditions that are proposed with the exception of the additional year.

Vice President Iannotti questions this extension already being a part of the contract, and that there could be one more extension. Engineer Cleary confirms this is part of the contract, and that there could be up to three (3) one-year terms.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the Town Manager to execute a second, one-year contract extension for Sewer Authority plan review, construction inspection and on-call engineering services between CDM-Smith and the Town of Smithfield. Said contract extension will be in agreement with the terms and conditions provided by the Master Service Agreement executed on 10/2019. **Motion is approved by a unanimous 5/0 vote.**

B. Consider, discuss, and act upon authorizing a short-term contract renewal with Veolia Water for operation and maintenance services at the wastewater treatment facilities.

Engineer Cleary explains the following: This would extend the existing operations and maintenance contract with a short-term renewal until December 31, 2023. The final details of the service agreement are still being worked out, such as the terms/conditions, scope of services, and fees. There is a great deal involved, but he is confident that he will get a recommendation by the Sewer Authority before the end of the year and then ratification by council.

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council hereby authorizes a second short-term contract renewal agreement until December 31, 2023, as proposed with Veolia Water, NA for operation & maintenance services at the wastewater treatment facility. **Motion is approved by a unanimous 5/0 vote.**

- C. Consider, discuss, and act upon a recommendation for Change Order #1 with Green Acres Landscaping and Construction Company, Inc. in the amount of one hundred sixteen thousand, nine hundred, forty-eight dollars and seventy-two cents (\$116,948.72) for work associated with the Boyle Athletic Field Complex.**

Town Manager Rossi explains the following: This item was before the Boyle Athletic Committee at their November 2, 2023 meeting as well as the School Committee at their November 6, 2023 meeting. This is the second piece of what was approved at a prior meeting to purchase the bleachers and press boxes. This will be for the actual installation of the cement pad and some additional work such as revised fencing, asphalt work, and electrical scope. The Town received credit for the electrical work that was completed “in house”.

Member Toppi questions if this was forgotten in the beginning. Town Manager Rossi explains that originally the council approved the bleachers and press box with the potential of having the installation done by that contract, however, the Town went back to the contractor doing the main work, and they will be doing the installation. This will be cheaper. There will be two (2) different companies doing this, but it was planned to “break the pieces out” to save money.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the Boyle Building Committee and the Smithfield School Department to approve processing; PCO #2, PCO #3, and PCO #4 as part of Change Order #1 for the concrete slab required for the grandstand, to Green Acres Landscaping & Construction in an amount not to exceed one hundred thousand nine hundred forty-eight dollars and seventy-two cents (\$116,948.72). Subject to approval by the Boyle Athletic Committee at their November 2, 2023 meeting and the School Committee at their November 6, 2023 meeting. **Motion is approved by a unanimous 5/0 vote.**

- D. Consider, discuss, and act upon a recommendation for Change Order #2 with Coyne Mechanical, Inc. in the amount of sixteen thousand and eight hundred dollars and zero cents (\$16,800.00) for work associated with the rooftop units replacement project at the Smithfield High School.**

Town Manager Rossi explains the following: This item was approved by the School Committee at their November 6, 2023 meeting and the School Building Committee at their November 2, 2023 meeting. This is a requirement for the warranty on the units, and TRANE would have to perform the startup procedure in order to guarantee them.

Vice President Iannotti questions if this was just “sprung” on the council at the last minute. Town Manager Rossi explains that this just came up, but it was brought to committee at the last meeting. Town Manager Rossi further explains that when they were going through the specifications for the warranty to be carried forward with TRANE, this would need to be started with them.

Town Manager Rossi assures the members that there are funds available to do this.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the Boyle Building Committee and the Smithfield School Department to approve processing Change Order #2 in an amount not to exceed sixteen thousand eight hundred dollars (\$16,800.00). Subject to approval by the Boyle Athletic Committee at their November 2, 2023 meeting and the School Committee at their November 6, 2023 meeting. **Motion is approved by a 5/0 vote.**

E. Consider, discuss, and act upon authorizing a bid award for a two-year on-call town wide electrical services contract.

Town Manager Rossi explains the following: Every two (2) years the Town goes back to bid for electrical contract services in order to have the Town and the School Department benefit by locking in the pricing for regular operation work, as well as, emergency and after hours work. This was reviewed by a committee that included the Fire Chief, Angelo Mencucci, Christopher McWhite, Gene Allen, Kevin Cleary, and Carlos Santos. They are recommending that the bid award go to Sullivan & McLaughlin for the two-year period.

Member Toppi questions if this company fills all of the criteria. Town Manager Rossi states that they do fill all of the criteria, and they do the work together then review it.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the Purchasing Agent to award the next two (2) year contract term for the Town-wide on-call electrical services, starting October 15, 2023 – October 14, 2025 to the most qualified bidder Sullivan & McLaughlin Co., located in Cranston, RI at the following rates: \$112.00/standard hourly rate - \$167.00/emergency – off hour rate - \$221.00/Sunday-holiday rate. **Motion is approved by a unanimous 5/0 vote.**

F. Consider, discuss, and act upon a three-year contract extension with Info Quick Solutions for the Town Clerk's land records management system.

Town Clerk Antonuccio explains the following: The Clerk's Office has had the services of the IQS since December 2018, and the staff members like the program, which is user friendly, and other programs can be built into this software at no additional cost. She is currently working with IQS to build a municipal court program and potentially an APRA program.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby approves the contract on behalf of the Smithfield Town Clerk's office to Info Quick Solutions, Inc. for a period of three (3) years with an option for a two (2) year extension to be signed by Town Manager Rossi, and with funding from the Town Clerk's Recording and Indexing Budget. **Motion is approved by a unanimous 5/0 vote.**

G. Consider, discuss, and act upon adopting a resolution amending the Smithfield Personnel Policies and Procedures.

Town Manager Rossi explains the following: The Town has been working with the Personnel

Board because it was noticed that certain aspects of the Personnel Policies and Procedures which was not the way the Town was operating. The Town is finding ordinances that are being revised now, there are certain practices that are not documented. This section was reviewed by the Personnel Board for these employees that were hired prior to July 1, 2015. Upon their hiring, they were guaranteed certain benefits similar to the bargaining unit they would be a part of if they were not management or a nonunion employee. In conjunction with reviewing that section, language was drafted to mirror anyone that is in the nonunion service to match what they would be comparable to in the union service. This deals with post-employment benefits once they reach the age of fifty-eight (58).

Motion is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council approve the resolution to amend the Smithfield Policies and Procedures as supported by the Personal Board. **Motion is approved by a unanimous 5/0 vote.**

H. Consider, discuss, and act upon authorizing an annual salary increase for the Probate and Municipal Court Judges for the period from July 1, 2023 through June 30, 2024.

Town Manager Rossi explains the following: During the last budget process this item was overlooked. The salaries are the same as they have been since 2009. Looking at the increase, just due to an inflation rate of 42.41% would increase their annual wage amount to \$9,968.70. Bringing into account the increased workload for both judges. He asks the council to consider for this fiscal year to increase their salaries to \$12,000.

Member Kilduff states that the salary rate data provided to the council is two (2) years old, and he wants to ensure this has been accounted for. Town Manager Rossi states that is why the rate is \$12,000, and this will be evaluated again with updated numbers for the upcoming budget year.

Vice President Iannotti feels this should be evaluated every year, and to also look at the judge's actual caseloads to see if and how they are increasing, not only in numbers, but also in complexity.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby approve the annual salary increase of the Probate and Municipal Court Judges to \$12,000 per year from July 1, 2023 – June 30, 2024. **Motion is approved by a unanimous 5/0 vote.**

I. Consider, discuss, and act upon approving the Town Council meeting schedule for the remainder of the year and calendar year 2024.

Town Manager Rossi explains the following: This is a new schedule for 2024, and there are some slight revisions being made due to the different weeks in January. He explains when the meetings will take place that month, to push it back due to the holiday, processing the packets, and availability of the members. If anyone has any opinions about the second meeting in December for consideration, but this does not have to be determined this evening.

Member Kilduff suggests waiting to consider canceling the second meeting in December because of the Change Orders and the Boyle Complex. Town Manager Rossi expresses his concerns about

license renewals which can sometimes go over to the next meeting.

Vice President Iannotti suggests considering the cancellation at the first meeting in December.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby approves the 2024 Town Council meeting schedule. **Motion is approved by a unanimous 5/0 vote.**

J. Consider, discuss, and act upon approving tax abatements in the amount of two thousand and one dollar and eighty-four cents (\$2,001.84).

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the tax abatements in the amount of \$2,001.84 **Motion is approved by a unanimous 5/0 vote.**

XII. Public Comment: None

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 7:40 p.m.

Town Clerk



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

DATE: November 15, 2023
TO: Honorable Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Zoning Ordinance Amendments

Attached are proposed amendment to the Zoning Ordinance pertaining to Battery Energy Storage facilities. Specific amendments proposed would add a new use category in Section 4.3 Table of Uses entitled "*Battery Energy Storage Facility*". The use would be allowed by Special Use Permit in the Industrial and Planned Corporate zones and be prohibited everywhere else. Special use permit criteria was developed for the use and is found in Section 4.4 Supplementary Use Regulations, *D-21 Battery Energy Storage Facility*.

The Planning Board will review the proposed amendments at the November 16th meeting and will have recommendation to the Town Council in time for the adoption hearing.

Recommended Motion: That the Smithfield Town Council schedules a Public Hearing on January 9, 2024 to consider adopting amendments to Sections 4.4 Supplementary Use Regulations and 4.3 Table of Uses of the Smithfield Zoning Ordinance by adding a new use category entitled "*Battery Energy Storage Facility*".

**SECTION 1- AN ORDINANCE AMENDING SECTIONS 4.4 SUPPLEMENTARY
USE REGULATIONS AND 4.3 TABLE OF USES OF THE SMITHFIELD
ZONING ORDINANCE BY ADDING A NEW USE CATEGORY ENTITLED
“BATTERY ENERGY STORAGE FACILITY”**

IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:

Section 1. Sections 4.4 Supplementary Use Regulations and Sections 4.3 Table of Uses of the Town of Smithfield Zoning Ordinance are hereby amended by adding the following new sections:

4.4 Supplementary Use Regulations

- D-21. Battery Energy Storage Facility** - Energy storage systems (ESS) are electrical (e.g., capacitors), electrochemical (e.g., lithium - ion batteries), mechanical (e.g., pumped hydro), or hybrid technologies leveraging the products of other processes (e.g. combined heat and power plants) which store energy for later use.
- A. No battery energy storage facility shall be located within 500 feet of a residential structure.
 - B. Non-climbable fences approved by the Board shall be installed and maintained around the plant and all its facilities, equipment and operations.
 - C. The use shall be screened from public view and any adjoining residential, commercial, office and/or industrial districts with a durable masonry wall, fence or hedge or other natural planting of comparable opacity, as ordered by the Board.
 - D. All facilities shall be designed, constructed and operated so as to have a minimum deleterious effect on the health, safety and general welfare of the community.
 - E. The applicant must provide an Emergency Response Plan that provides information and instructions to guide first responders in preparing for, and safely responding to, an incident, fire, or other emergency associated with the energy storage facility.
 - F. The applicant must provide a Quantitative Risk Analysis addressing the risks associated with battery energy storage site facilities and the barriers and best practices in place to address those. The assessment shall discuss the likelihoods of incidents based on statistical analysis and reliability data while considering the safeguards, industry standards, and best practices that are currently in place.
 - G. The applicant must provide a decommissioning plan including descriptions of the steps that will be taken, a cost estimate, and a funding plan that includes some form of financial assurance such as a bond or letter of credit.

4.3 TABLE OF USES

| Zoning Uses | ZONING DISTRICTS | | | | | | | | | | | | |
|---|------------------|------|-------|------|-------|----|---|---|----|----|---|----|----|
| | R-200 | R-80 | R-Med | R-20 | R-20M | MU | V | C | HC | LI | I | PC | PD |
| D. PUBLIC & SEMI-PUBLIC USES (cont'd.) | | | | | | | | | | | | | |
| 21. Battery Energy Storage Facility | N | N | N | N | N | N | N | N | N | N | N | S | N |

Section 3. These Ordinance Amendments shall take effect Thirty (30) days after their adoption by the Smithfield Town Council.

APPROVED AS TO FORM AND LEGALITY:

 Anthony M. Gallone, Jr.
 TOWN SOLICITOR

ADOPTED: _____

 T. Michael Lawton
 TOWN COUNCIL PRESIDENT



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of Intoxicating Beverage Licenses for the November 21st 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 A RETAILER'S BEVERAGE LICENSES

1. Mac's Liquor Mart, Inc. d/b/a "Mac's Liquor Mart", 200 Pleasant View Avenue
2. Putnam Liquor, Inc. d/b/a "Putnam Pike Liquors", 637B Putnam Pike
3. Putnam Pike Liquors, Inc. d/b/a "B & C Liquor", 253 Putnam Pike

CLASS B-VICTUALLER BEVERAGE LICENSES

1. Apple New England, LLC d/b/a "Applebee's Neighborhood Grill & Bar", 446 Putnam Pike
2. Armenucci, LLC, d/b/a "Blackie's Bulldog Tavern", 280 George Washington Highway (approved for outdoor bar service)
3. BZB Enterprises, Inc. d/b/a "Parente's Family Restaurant", 1114 Douglas Pike (approved for outdoor bar service)
4. Brinker International d/b/a "Chili's Grill & Bar", 371 Putnam Pike, #210
5. Chelo's Steak House, Inc. d/b/a "Chelo's Steak House", 445 Putnam Pike (approved for outdoor bar service)
6. Ditto, Inc. d/b/a "Fresco", 181 George Washington Highway (approved for outdoor bar service)
7. F & F Enterprises, LLC d/b/a "Wing Power", 5 Sanderson Road (approved for outdoor bar service)
8. Giuseppe's Pizzeria Bistro, Inc. d/b/a "Giuseppe's Pizzeria Bistro", 19D Smith Avenue (approved for outdoor bar service)
9. Josephine's Coffee Bar, Inc. d/b/a "Josephine's Coffee Bar", 19B Smith Avenue
10. New Rainforest, LLC d/b/a "Twelve Acres", 445 Douglas Pike
11. Pastry Land Bakery, Inc., d/b/a "Pastry Land Bakery", 19 Sanderson Road
12. Rangoon, LLC d/b/a "Rangoon Chinese & Japanese Restaurant", 294 Waterman Avenue
13. SVP Corporation d/b/a "Mai Thai Cuisine", 115 Pleasant View Avenue
14. The Last Resort, Inc. d/b/a "The Last Resort", 325 Farnum Pike (approved for outdoor bar service)
15. The Orchard Grill, Inc. d/b/a "The Orchard Grille" 132 Pleasant View Avenue
16. Yamato Steakhouse of Smithfield, Inc., d/b/a "Yamato Steakhouse of Japan", 375 Putnam Pike, Unit 30

CLASS B-VICTUALLER LIMITED BEVERAGE LICENSES

1. AKR Corporation d/b/a "Tony's Pizza Palace", 200 Pleasant View Avenue
2. Rally Point Racquet Club, Inc. d/b/a "Rally Point Racquet Club", 15 Church Street

CLASS C – BAR LICENSE

1. Waterman Lake Pub. LLC d/b/a "Village Pub", 715 Putnam Pike

CLASS D- BEVERAGE LICENSE

1. Smithfield Sportsman's Club, 14 Walter Carey Road



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Public Hearing to consider the annual renewal of a Victualling License to include the renewal of previously-approved extended hours of operation for the November 21st Town Council Meeting

BACKGROUND:

Town Council to conduct a Public Hearing to consider the annual renewal of the following Victualling License to include the renewal of previously-approved extended hours of operation.

TOWN REVENUE:

The cost to renew a Victualling License is \$50.00

APPROVAL STATUS:

All paperwork is complete for Town Council approval.

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of twelve (12) Victualling Licenses to include renewal of the extended hours of operation, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. 7-Eleven Store#32614A d/b/a “7-Eleven#32614A”, 970 Douglas Pike to extend hours of operation to **24/7 hours.**
2. Colbea Enterprises, LLC d/b/a “Seasons Corner Market”, 947 Douglas Pike to extend hours of operation to **24/7 hours.**
3. Colbea Enterprises, LLC d/b/a “Shell #36”, 368 Putnam Pike to extend hours of operation to **24/7 hours.**
4. Cumberland Farms Inc., d/b/a “Cumberland Farms #1251”, 353 Waterman Avenue to extend hours of operation to **24/7 hours.**
5. DKS Coffee, Inc., d/b/a “Dunkin’ Donuts”, 970 Douglas Pike to extend hours of operation to **4:00 a.m. to 12:00 a.m.**
6. Greenville Donuts, LLC d/b/a “Dunkin’ Donuts”, 385 Putnam Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**
7. Greenville Donuts. LLC d/b/a “Dunkin’ Donuts”, 471 Putnam Pike to extend hours of operation to **24/7,** with the stipulation that the Drive-Thru Window be closed from 2:00 a.m. to 4:30 a.m.
8. Greenville Donuts, LLC d/b/a “Dunkin’ Donuts”, 639B Putnam Pike to extend hours of operation to **5:00 a.m. to 10:00 p.m.**
9. Ionian, Inc. d/b/a “Dunkin’ Donuts”, 259 Putnam Pike #1 to extend hours of operation to **4:00 a.m. to 12:00 a.m.**
10. JMK Enterprises, Inc. d/b/a “Smithfield Mobil”, 364 Putnam Pike to extend hours of operation to **24/7 hours.**
11. KAC Foods, Inc. d/b/a “McDonald’s”, 445 Putnam Pike, Unit 19 to extend hours of operation to **4:30 a.m. to 2:00 a.m.**, the Drive –Thru Window portion of the restaurant will remain open with the hours of operation to be **24/7 hours** Monday through Sunday.
12. Wedge Donuts, Inc. d/b/a “Dunkin’ Donuts”, 151 Douglas Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of Entertainment Licenses for the November 21st 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 seven (7) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. Armenucci, LLC, d/b/a “Blackie’s Bulldog Tavern”, 280 George Washington Highway
2. BZB Enterprises, Inc. d/b/a “Parente’s Family Restaurant”, 1114 Douglas Pike
3. Chelo’s Steak House, Inc. d/b/a “Chelo’s Steak House”, 445 Putnam Pike
4. Ditto, Inc. d/b/a “Fresco”, 181 George Washington Highway

5. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road
6. New Rainforest, LLC d/b/a “Twelve Acres”, 445 Douglas Pike
7. The Last Resort, Inc. d/b/a “The Last Resort”, 325 Farnum Pike



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of Special Dance License for the November 21st Town Council Meeting

BACKGROUND:

Special Dance Licenses are due for renewal. The businesses listed below has filed their applications for renewal.

TOWN REVENUE:

The cost of a Special Dance License is \$1.00

SUPPORTING DOCUMENTS:

All paperwork is complete for renewal for the Town Council

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the annual renewal of six (6) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Armenucci, LLC d/b/a “Blackie’s Bulldog Tavern”, 280 George Washington Highway
2. Ditto, Inc. d/b/a “Fresco”, 181 George Washington Highway
3. F & F Enterprises, LLC d/b/a “Wing Power”, 5 Sanderson Road
4. New Rainforest, LLC d/b/a “Twelve Acres”, 445 Douglas Pike
5. Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail
6. The Last Resort, Inc. d/b/a “The Last Resort”, 325 Farnum Pike



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of forty-four (44) Victualling Only Licenses for the November 21st 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 forty-four (44) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. ALG 33 Enterprises, Inc. d/b/a “Piezoni’s”, 259 Putnam Pike
2. A & W of Rhode Island, Inc. d/b/a “A & W”, 460 Putnam Pike

3. B & B Hospitality, Inc. d/b/a "Sure Stay Plus by Best Western", 355 George Washington Highway
4. Bacon N Beanz Café, LLC d/b/a "Bacon N Beanz Café", 345 Waterman Avenue
5. Barnes & Noble Booksellers, Inc. d/b/a "Barnes & Noble #2082", 371 Putnam Pike, Suite 330
6. Botan, LLC d/b/a "Wise Guys Deli", 1201 Douglas Pike
7. Brewology, LLC d/b/a "Brewology", 101 Pleasant View Avenue
8. Bryant Coffee, Inc. d/b/a "Dunkin Donuts", 1150 Douglas Pike
9. CC Smithfield, Inc. d/b/a "Coffee Connection", 665 Douglas Pike, Unit A
10. CALM Enterprises, Inc. d/b/a "Del's of Smithfield", 115 Pleasant View Avenue
11. Card, Inc. d/b/a "Gigi's Scoops", 265 Putnam Pike
12. Cava Mezze Grill, LLC d/b/a "CAVA", 473 Putnam Pike, Suite A2
13. Country Creamery, Inc. d/b/a "Country Creamery", 3 Commerce Street
14. DE Foods, LLC d/b/a "Kentucky Fried Chicken/Taco Bell", 421 Putnam Pike
15. DNL Food, Inc. d/b/a "Tin Tsin Restaurant", 400K Putnam Pike
16. Daniel Dumican d/b/a "Daily Catch Seafood of Smithfield", 9 Cedar Swamp Road
17. Darshan Gandhi d/b/a "Home 2 Suites", 944 Douglas Pike
18. Dave's Fruitland, Inc. d/b/a "Dave's Marketplace of Smithfield", 4 Cedar Swamp Road
19. Dave's Marketplace of Smithfield, Inc. d/b/a "Dave's Marketplace", 371 Putnam Pike, Suite 590
20. Excel Feeders, LLC d/b/a "Subway", 445 Putnam Pike
21. Excel Holdings 17, LLC d/b/a "Hampton Inn and Suites Providence/Smithfield", 945 Douglas Pike
22. Fresh Pita, LLC d/b/a "Fresh Pita", 777 Putnam Pike
23. Global Montello Group Corp. d/b/a "Alltown Smithfield", 471 Putnam Pike
24. Howley Bread Group, LTD d/b/a "Panera Bakery Café", 473 Putnam Pike
25. JM of Smithfield, LLC d/b/a "Jersey Mike's Subs", 473 Putnam Pike
26. J & M Way Enterprises, Inc. d/b/a "Island Fin Poke Company", 445 Putnam Pike
27. KelCarQ, LLC d/b/a "KelCarQ BBQ", 375 Putnam Pike, Suite 25
28. LNP Enterprises, Inc. d/b/a "Domino's Pizza", 9 Cedar Swamp Road Suite 2
29. Melissa Carbone d/b/a "Bree's Deli", 115 Pleasant View Avenue #1
30. New England Authentic Eats, LLC d/b/a "D'Angelo Sandwich Shop", 375 Putnam Pike
31. New England Authentic Eats d/b/a "Papa Gino's", 400 Putnam Pike
32. Newport Creamery, LLC #12, d/b/a "Newport Creamery #12", 568 Putnam Pike
33. Pat & Mike's Bagels, LLC d/b/a "Café Such a Bagel", 445 Putnam Pike, Unit 8
34. Plant City X Bryant, LLC d/b/a "Plant City X Bryant", 1150 Douglas Pike
35. Popovo, LLC d/b/a "Athens Pizza House", 1 Austin Avenue
36. Powder Mill Creamery and Coffee Roasters, d/b/a "Powder Mill Creamery & Coffee Roasters", 777 Putnam Pike
37. Princes & Sons Pizza, Inc. d/b/a "Depetrillo's Pizza & Bakery", 105 Pleasant View Avenue
38. Quicket's, Inc. d/b/a "Quicket's", 285 George Washington Highway
39. Slice and Scoop, Inc. d/b/a "Slice and Scoop", 665 Douglas Pike, Unit B
40. Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail
41. Speedway, LLC d/b/a "Speedway #02821", 263 Putnam Pike
42. St. Philip Church, 622 Putnam Pike
43. Starbucks Corporation d/b/a "Starbucks Coffee #17343", 400 Putnam Pike
44. The Stop & Shop Supermarket Co., LLC d/b/a "Stop & Shop Supermarket #705", 446 Putnam Pike



Memorandum

DATE: November 15, 2023

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: New Victualling Only License for Addie & Colts Bagels, LLC d/b/a “Café Such a Bagel Too”, for the November 21st Town Council Meeting

BACKGROUND:

Addie & Colts Bagels, LLC, d/b/a “Café Such a Bagel Too”, has applied for a new Victualling Only License, located at 285 George Washington Highway hours of operation to be as follows: Monday through Sunday, 6:00 a.m. to 2:00 a.m.

TOWN REVENUE:

Fee for a Victualling Only License is \$50 per year

SUPPORTING DOCUMENTS:

Copy of application
Copy of BCI – No record
Retail Sales Permit
Food Business License

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve a new Victualling Only License for Addie & Colts Bagels, LLC d/b/a “Café Such a Bagel Too”, 285 George Washington Highway, as applied, subject to compliance with all State regulations, and local ordinances.

TOWN OF SMITHFIELD
OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: 50.00

PLEASE PRINT:

Note: Please fill in ALL the necessary information.

Date of Application: ~~8/29/23~~ 10/9/23

Type of License: Victualling - ONLY Check One:

New Renewal Amended

Name of Applicant: Alexia Croteau

Date of Birth: 05/16/1993

Resident Address: 784 Pound Hill Rd

Business Address: 285 George Washington Hwy
Smithfield RI 02917

Operating Under Trade Name of: Cafe Such a Bagel Too

Resident Telephone: 401-300-2331 Business Telephone: 401-233-2075

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: quick service restaurant

Requested Hours of Operation: 6am - 3pm

Signature of Applicant: Alexia Croteau

Title: owner

Applies to business establishments only:

In case of emergency/person to contact

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

For Official Use Only

Police Chief: [Signature]
Building Official: SIGNATURE NOT REQUIRED
RI Dept. of Health:

Fire Chief: SEE ATTACHED LETTER
Owner of premises: [Signature]
[Signature]

At a meeting of the Smithfield Town Council, held on

11/21/23

the above stated application was:

() Approved () Denied

License #: 157 Date Issued: _____

SMITHFIELD POLICE DEPARTMENT
 215 Pleasant View Avenue, Smithfield, RI 02917
 (401-231-2500)

**NO Criminal
Record**

**POLICE CLEARANCE REPORT FOR
LICENSE APPLICATION**

DATE: 10/26/23

1. NAME OF CANDIDATE: (PRINT)

Croteau Alexia Rae
 LAST FIRST MIDDLE

St. Onge
 MAIDEN NAME

09/16/1993

2. DATE OF BIRTH
784 Pound Hill Rd
N. Smithfield, RI 02896

Providence, RI
 3. PLACE OF BIRTH

4. CURRENT ADDRESS
quick service food

Cafe Such a Bagel Too
 5. NAME OF BUSINESS

6. TYPE OF BUSINESS
NO

289 George Washington Hwy
 7. BUSINESS ADDRESS Smithfield
RI 02917

8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

401-233-2075
 9. BUSINESS PHONE

401-300-2331
 10. HOME PHONE

11. List below each address which you have maintained beginning with your current address:

| From Mo./Yr. | To: Mo./Year | St. No. & Name | City & State |
|----------------|----------------|--------------------------|-------------------------|
| <u>11/2019</u> | <u>current</u> | <u>784 Pound Hill Rd</u> | <u>N. Smithfield RI</u> |
| <u>4/2017</u> | <u>11/2019</u> | <u>14 Continental Rd</u> | <u>Greenville RI</u> |
| <u>7/2016</u> | <u>4/2017</u> | <u>38 Belfield Dr</u> | <u>Johnston RI</u> |

12. Have you ever been arrested or detained by any police agency? YES NO

If the answer to question 12 is yes, give details below. Include date, place and charge or reason for detention.

13. List below two (2) character references

- | | | |
|--------------------------|----------------------------------|---------------------|
| 1. <u>Eric St. Onge</u> | <u>21 Cullen Hill Rd Lincoln</u> | <u>401 345 3887</u> |
| NAME | ADDRESS | PHONE |
| 2. <u>Ronette Jarvis</u> | <u>Old Carney Rd Smithfield</u> | <u>401 261 5646</u> |
| NAME | ADDRESS | PHONE |

CANDIDATE'S SIGNATURE: Alexia Croteau Witness: Carolyn Drazio



State of Rhode Island
 Division of Taxation
 One Capital Hill
 Providence, RI 02908-5800

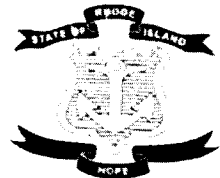


Phone: (401) 574-8955
 TTY Via 711
 Fax: (401) 574-8914
 Email: Tax_Excise@tax.r.gov

ADDIE & COLTS BAGELS CAFE SUCH A BAGEL TOO
 784 POUND HILL RD
 NORTH SMITHFIELD, RI 02896-9580

State of Rhode Island
 DIVISION OF TAXATION

RETAIL SALES PERMIT
 Valid From: 07/01/2023 to 06/30/2024



ID: 2-5298-0370

ISSUED TO:
 ADDIE & COLTS BAGELS CAFE SUCH A BAGEL TOO
 285 WASHINGTON HWY
 SMITHFIELD, RI 02917-1907

This permit, which authorizes the holder to collect the sales/use tax, is not assignable and is valid only for the person in whose name it is issued and for the transaction of business at the place designated. When the holder of this permit ceases to conduct the business for which it is issued at the place named, the permit must be returned to the Tax Administrator for cancellation. **The ID number, which appears in the upper left-hand corner of this permit is your license number for this place of business. Do not use this number to file returns.** Every holder of a Retail Sales Permit issued pursuant to R.I. Gen. Laws § 44-19-1 shall keep complete and accurate records of every sales transaction. These records shall be made available for examination, inspection, and copying by agents of the Division of Taxation as required by R.I. Gen. Laws § 44-19-27 and 280 RIGR 20-10-12. **The failure to maintain or produce required records can result in the estimated determination of sales tax liabilities based on the best available information, the imposition of penalties and interest, and the revocation of this permit.**

THIS PERMIT MUST AT ALL
 TIMES BE PROMINENTLY
 DISPLAYED AT THE LOCATION
 FOR WHICH IT IS ISSUED

Neena S. Savage
 NEENA S. SAVAGE
 TAX ADMINISTRATOR

DATE ISSUED: 10/03/2023



State of Rhode Island
Department of Health

CAFE SUCH A BAGEL TOO

Address Information

285 GEORGE WASHINGTON HIGHWAY

SMITHFIELD RI 02917

License Information

| | | | | | |
|--------------------------------|-------------------|--------------------|--------------|-------------------------|----------------------|
| License No: | FSV36370 | Profession: | Food Service | License Type: | Seats - Less than 50 |
| License Status: | Active | Issue Date: | 11/3/2023 | Expiration Date: | 4/30/2024 |
| Secondary License Type: | Fast Food Service | | | | |

Specialty Information

No Specialty Information

Disciplinary Action

Disclaimer: The individual license information on the Licensee Lookup displays only the current license status (e.g., Active, Active Probation, Suspended, Revoked). For the disciplinary history of any individual licensee, please click on the link for the specific profession and then on the Disciplinary Actions link available on each professional board's webpage.

See Board Disciplinary Listings at <http://www.health.ri.gov/lists/disciplinaryactions>

CLOSE THIS WINDOW TO RETURN TO THE SEARCH RESULTS.



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: November 13, 2023

Re: Request Purchase of Ballistic Protective Equipment from the Bryant Billing Account

Dear Town Council Members,

The Fire Department had purchased ballistic protective equipment, helmets and vests, for all apparatus riding positions. This was done to conform to our Active Shooter Hostile Environment Response (ASHER) standard operating procedure to protect our members working at such an incident. The equipment was purchased from a company named Bulletproof-it, LLC out of Vancouver, WA.

Subsequent to the purchase, about 18 months later, we were notified that the owner of Bulletproof-it was being charged with fraudulent sales. We were contacted by Special Agent Ryan Gregg of GSA, Office of Inspector General, Investigations Unit. We were advised that the equipment we purchased was fraudulently certified and was proven NOT to provide the stated ballistic protection. Therefore, our ballistic equipment does not meet the required ballistic standards testing. That being said, our equipment must be replaced.

The owner of the company has been charged and was found guilty at trial. He is going to be serving a jail sentence. He has also been ordered to pay restitution by liquidating his property holdings, which he did own a fair amount of real estate. How the restitution will be divided is unclear. This company did business with the federal government and many municipalities around the country. We were told straight out that if we are lucky to receive any payment, it most likely be a fraction of our original purchase.

Therefore, for the safety of our members, I am requesting, with agreement from the Town Manager and the Police Chief, to use the Bryant billing account money to replace our ballistic equipment.

The complete replacement of all of our equipment comes in at \$45,000. We are still working out the details of the purchase to get the best quality for the best price. We will request final approval to purchases from the Town Council once we have vetted all of the vendors. This request is to move forward with the project.

"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."

I request that the Town Council authorize the Fire Department to spend no more than \$45,000 to replace our ballistic equipment. In addition, any restitution received from the lawsuit to be placed into the Bryant billing account as a reimbursement.

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 authorization the Smithfield Fire Department to purchase Ballistic Protective Equipment to replace the fraudulent Bulletproof-it equipment, funded from the Bryant billing account, not to exceed \$45,000, and that any restitution received from the Bulletproof-it legal case be placed in the Bryant billing account as a reimbursement.



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: November 13, 2023

Re: Authorization to Purchase "Jaws of Life" Replacements

Dear Town Council Members,

In this year's capital budget, the Fire Department budgeted \$45,000 in the capital budget to replace our old Jaws of Life extrication tools. We had planned on spending \$45,000 this year and request \$45,000 next year to accomplish extrication tool upgrades for all of our trucks over the two-year period.

The Fire Department recently researched replacement tools for our current Jaws of Life vehicle extrication tools. We had demonstrations from Phoenix Rescue Tools, TNT Rescue Tools, Hurst Jaws of Life, and the Holmatro Group. These were all battery operated tools which the entire extrication tool industry is going to.

After demonstrating all four tools and researching their field performance, the evaluation team selected the Hurst Jaws of Life tool. The unit is what is called a "combi-tool" which allows for cutting metal and spreading metal, both capabilities in one tool.

This year's request is to purchase two tools, one for Engine 1 and one for Engine 2. The total cost as quoted by Firematic Supply Co., Inc. of Milford, MA is \$30,500 as priced under the MA PSE01 master pricing agreement. As stated earlier, we are budgeted \$45,000 in this year's capital budget for this project. (See included quote)

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 authorization the Smithfield Fire Department to purchase two Hurst Jaws of Life tools from Firematic Supply Co., Inc. of Milford, MA in the amount of \$30,500 as appropriated in the fire department's capital budget.

"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."

FIREMATIC SUPPLY CO., INC.

23 Birch Street, Milford, Mass. 01757

978-815-2451

dmadeira@firematic.com

WebSite: www.firematic.com

Quote



| | |
|---------------------------|-----------|
| DATE 9/15/2023 | PAGE 1 |
| QUOTE NUMBER QT111254 | |
| EXPIRE DATE 10/15/2023 | |

| | |
|------------------|--|
| Quoted To | CAPT PAULSON SMITHFIELD FIRE DEPT. 607 PUTNAM PIKE HQ STA. #1 SMITHFIELD, RI 02828 |
|------------------|--|

| | |
|----------------|--|
| Ship To | SMITHFIELD FIRE DEPT. 607 PUTNAM PIKE HQ STA. #1 SMITHFIELD, RI 02828 |
|----------------|--|

| | | | | |
|----------------------|--------------|----------------------------|------------------------------|------------------|
| CUSTOMER NO. 4066 | CONTRACT NO. | PHONE NO. (401)949-1330 | SALESPERSON DEVIN MADEIRA | CUSTOMER PO. NO. |
|----------------------|--------------|----------------------------|------------------------------|------------------|

| LINE NO. | ITEM NUMBER | DESCRIPTION | QTY ORDERED | UNIT PRICE | EXTENDED PRICE |
|----------|----------------|---|-------------|------------|----------------|
| 1 | HUR2736230009C | E3 358 COMBI, 2 BATTERIES W/ CHARGER | 2 | 15,250.00 | 30,500.00 |
| 2 | FREIGHT IN | FREIGHT FROM MANUFACTURER | 1 | 0.00 | 0.00 |

Comments MEETS OR EXCEEDS MA STATE BID PSE01

Amount
By:

30,500.00
DEVIN MADEIRA



Town of Smithfield

OFFICE OF PURCHASING AGENT
64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917
TELEPHONE: (401) 233-1000 EXT: 138
EMAIL: CSANTOS@SMITHFIELDRI.COM

CARLOS SANTOS
PURCHASING AGENT

DATE: November 13, 2023
TO: Honorable Town Council
FROM: Carlos Santos, Purchasing Agent
CC: Randy R. Rossi, Town Manager
Mike Philips, Planning & Economic Development Director

RE: The Administration is requesting the Town Council Rescind RFP # 20230630 – Property Sale: William Winsor Elementary School, and the two (2) bids received from: RJB Properties, LLC. 640 George Washington Hwy., Lincoln, RI 02865 and Gemini Housing Corp. 7 Church St., Greenville, RI 02828.

BACKGROUND:

At the Tuesday, September 5, 2023 Town Council meeting, the Town Council approved a Request for Proposal (RFP) be advertised to solicit proposals for the Sale of William Winsor Memorial Elementary School building located at 562 Putnam Pike, Greenville, RI 02828. The bid closing date was on October 23, 2023, two bids were received: RJB Properties, LLC. 640 George Washington Hwy., Lincoln, RI 02865 and Gemini Housing Corp. 7 Church St., Greenville, RI 02828. After careful administrative review, it was determined that it is not in the best interest to the Town to award this bid.

The Administration, is recommending that the Town Council rescind the RFP and the two bids. In a separate motion on tonight's agenda the Town Council will see a request to re-advertise the updated RFP.

FINANCIAL IMPACT:

There is no impact.

RECOMMENDATION:

That the Town Council Rescind RFP # 20230630 – Property Sale: William Winsor Elementary School, and the bids received from: RJB Properties, LLC. 640 George Washington Hwy., Lincoln, RI 02865 and Gemini Housing Corp. 7 Church St., Greenville, RI 02828.

ATTACHMENTS:

Copy of the Bid Tabulation Summary form.

MOTION:

That the Smithfield Town Council hereby Rescind RFP # 20230630 – Property Sale: William Winsor Elementary School, and the bids received from: RJB Properties, LLC. 640 George Washington Hwy., Lincoln, RI 02865 and Gemini Housing Corp. 7 Church St., Greenville, RI 02828.

TOWN OF SMITHFIELD, RI BID TABULATION



Project: Property Sale: William Winsor Elementary School
Project No.: 20230630
Bid Date: 10/23/23
Bid Prepared by: Carlos Santos, Purchasing Agent

| RJB Properties, LLC 640 George Washington Hwy. Lincoln, RI 02865 Phone: 401-333-3233 | | | | Gemini Housing Corp. 7 Church St. Greenville, RI 02828 Phone: 401-949-0270 | | | | | | | |
|---|---|-----------------|----------|---|---------------|----------------|---------------|----------------|--------|----------------|--------|
| ITEM NO. | BID ITEM DESCRIPTION | UNIT OF MEASURE | QUANTITY | UNIT BID PRICE | AMOUNT | UNIT BID PRICE | AMOUNT | UNIT BID PRICE | AMOUNT | UNIT BID PRICE | AMOUNT |
| 1 | Property Sale: William Winsor Elementary School | | | *OPTION 1 | \$ 200,000.00 | | \$ 810,000.00 | | | | |
| 2 | | | | *OPTION 2 | \$ 700,000.00 | | | | | | |
| 3 | | | | | | | | | | | |
| 4 | | | | | | | | | | | |
| 5 | | | | * OPTIONS: | | | | | | | |
| 6 | | | | See Proposal for clarification | | | | | | | |
| 7 | | | | | | | | | | | |
| 8 | | | | | | | | | | | |
| TOTAL BID AMOUNT | | | | | | | | | | | |

*REFERRED TO THE EVALUATION COMMITTEE AND FUTURE RECOMMENDATION WILL BE FOWARDED TO THE TOWN COUNCIL FOR APPROVAL



CARLOS SANTOS
PURCHASING AGENT

Town of Smithfield

PURCHASING AGENT
FINANCE OFFICE, SMITHFIELD TOWN HALL
64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917
TELEPHONE: (401) 233-1000 EXT: 138
EMAIL: CSANTOS@SMITHFIELDRI.COM

DATE: May 26, 2023
TO: Honorable Town Council
FROM: Carlos Santos, Purchasing Agent
CC: Randy R. Rossi, Town Manager
Mike Philips, Planning & Economic Development Director

RE: Approval to re-advertise an updated Request for Proposals (RFP) for Sale the Winsor School (Assessors Plat, 6 - Lot 49) located at 562 Putnam Pike

BACKGROUND:

At the Tuesday, September 5, 2023 Town Council meeting, approval was granted to advertise a RFP for the sale of the former William Winsor Elementary School. The due date for submission of proposals was 10:00AM EST on Monday, October 23, 2023, at which time two (2) proposals were received. The town received submissions from RJB Properties, LLC, 640 George Washington Hwy., Lincoln, RI 02865 and Gemini Housing Corp, 7 Church St., Greenville, RI 02828. After careful review by the Administration, it was determined that both proposals do not align with the best interest to the Town.

In a separate motion on tonight's agenda the Town Council will see a request to rescind the previous RFP for the sale of the former William Winsor Elementary School and the two proposals.

SUBJECT

The intention of the updated RFP is to increase interest in this property and the purpose of this memo is to request that the Smithfield Town Council hereby authorize the advertisement of the updated RFP for the sale of the former William Winsor Elementary School, with the understanding that all proposals will be evaluated to ensure the use or uses of the property align with the best interest of the Town.

ATTACHMENTS:

Copy of Updated Request for Proposals.

MOTION:

That the Smithfield Town Council hereby authorize the advertisement of the updated RFP for the sale of the former William Winsor Elementary School property located at 562 Putnam Pike.

Town of Smithfield, RI

Request for Proposals



RFP # 20230630 REV 11-13

Property Sale:

William Winsor Elementary School

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INTRODUCTION:

The Town of Smithfield is seeking qualified bids to purchase the William Winsor Memorial Elementary School building located at 562 Putnam Pike, Greenville, RI 02828.

The School was built in 1930, the Town took possession of the School in 1954 at which time the Parent Teacher Association petitioned the Smithfield School Committee to name the school William Winsor Memorial School, to honor a long time town resident a man who served the community for over thirty years and had given so much service to Greenville. The property functioned as an Elementary until 2021. The school was most recently leased by Northern Rhode Island Collaborative, Foundations Academy, this lease was terminated on June 30, 2023.

There is a **Non Mandatory but highly recommended** site visit scheduled for Wednesday, December 6, 2023 at 10:00AM. Responders should take the time to visit the site of the William Winsor Elementary School and familiarize themselves with the building.

Sealed proposals may be received at the Finance Office, attention: Purchasing Agent, Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI 02917 until 10:00 am on December 18, 2023 at which time all bids will be publicly opened and read aloud.



TOWN of SMITHFIELD
State of Rhode Island
Terms and Requirements for Proposals

Item Description: **Sale of W. Winsor Elementary School – 562 Putnam Pike, Greenville, RI 02828**

Date and Time to be OPENED: **Monday, December 18, 2023 at 10:00 AM**

Proposals may be submitted up to **10:00 AM** on the above meeting date at the **Finance Office**, to the attention of the **Town Purchasing Agent, Smithfield Town Hall**, 64 Farnum Pike, Smithfield, RI 02917, during normal business hours, 8:30 AM through 4:30 PM. All proposals will be publicly opened and read at the Town Hall Council Chambers, second floor, Town Hall.

Instructions

1. Responders must submit sealed purchase proposals in an envelope clearly labeled with the above captioned item or work. The purchase proposal envelope and any information relative to the purchase proposal must be addressed to the **Purchasing Agent, Finance Office, Town Hall, 64 Farnum Pike, Smithfield, RI, 02917**. Any communications that are not sealed purchase proposals (i.e., information or questions) should have “**NOT A PURCHASE PROPOSAL**” written on the envelope or wrapper.
2. Purchase proposals must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
3. Purchase proposal responses must be in ink or typewritten.
4. The purchase price proposed should be stated both in **WRITING** and in **NUMERALS**, and any proposal not so stated may be rejected.
5. Each responder is required to state in their purchase proposal their full name and place of residence; and must state the names of persons or firms with whom he/she is submitting a joint proposal. All proposals **SHOULD BE SIGNED IN INK**.
6. **One original purchase proposal and five copies shall be submitted.**

TOWN OF SMITHFIELD
State of Rhode Island

NOTICE TO RESPONDERS

1. The Town of Smithfield reserves the right to waive any and all informalities and to award the sale on the basis of the best purchase price proposed.
2. No purchase proposal will be accepted if made in collusion with any other responder.
3. A responder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with R.I. Gen. Laws, as amended, Sections 7-1.1-99, 7-1.1-105, 7-1.1-106.
5. The Town of Smithfield reserves the right to reject any and all purchase proposals.
6. Where purchase proposals are the same, the Town of Smithfield reserves the right to award to one responder, or to split the award.
7. All purchase proposals will be disclosed at the formal proposal opening. After a reasonable lapse of time, tabulation of proposals may be seen on the town's website (www.smithfieldri.com/bids)
8. The responding developer/contractor will not be permitted to either assign or underlet the contract, nor assign legally or equitably any moneys hereunder, or its claim thereto without the previous written consent of the Town Manager.
9. There is a Non Mandatory but highly recommended site visit scheduled for **Wednesday, December 6, 2023 at 10:00AM**. Responders should take the time to visit the site of the William Winsor Elementary School and familiarize themselves with the building.
10. All questions must be received by the Town Purchasing Agent, Carlos Santos, via email to csantos@smithfieldri.gov no later than Friday, December 14, 2023 by end of day.

TOWN OF SMITHFIELD
State of Rhode Island

SPECIFICATIONS

The Town of Smithfield is offering qualified investors and developers an opportunity to acquire and develop Town-owned property.

The site, known as The William Winsor Elementary School, (Assessors Plat, 6 - Lot 49) located at 562 Putnam Pike (on Route 44) and is abutted by W. Cottage Ave to the west and Hattie Ave to the east and is comprised of 1 lot totaling 1.22 acres. The property is currently zoned Mixed Use (MU).

Proposals may be for development in keeping with the Town's desire to bring quality development to the area, it is the Town's intent to accept acquisition proposals from investors and developers proposing to convert the building for appropriate uses such as affordable housing, educational institutions or a mix of uses including affordable housing, professional offices, medical offices, medical institutions, health management organizations, financial institutions and the like.

In all cases, the Developer is responsible for all costs associated with meeting zoning requirements, obtaining necessary relief or, rezoning the property to an appropriate zone. The Developer should clearly illustrate the proposed use of the property and perform their own due diligence with respect to zoning and building requirements.

The site has a paved access drive that provides access to Route 44 and a paved area of approximately 30,000 sq. ft. in area, an open porch area of 576 sq. ft. remains in place. The building has a first floor with a 17,682 sq. ft. area, second floor with 7,344 of area, a basement area with 6,998 of area, there is an open loading platform with 84 sq. ft. of area.

TOWN OF SMITHFIELD
State of Rhode Island

PROPOSAL REQUIREMENTS

- An Irrevocable Letter of Credit or a check in the amount of \$10,000 is required with the submission of their proposal.
- Within 5 days of the bid award a 10% deposit is required to be made to the Town Of Smithfield to the attention of the Purchasing Agent.
- Proof of Prior Experience
 - The responder must show that it has successfully completed development projects similar to that which is being proposed within the prior 7 years. The responder shall describe the work which best illustrates its ability to complete the development that is being proposed. As part of said description, the bidder shall include proof that the developments described were completed in a timely manner. In addition the bidder shall identify all development projects it has undertaken within the last 7 years.
- Identification of the Developer
 - The “Developer” is defined as any party participating in the purchase and redevelopment of the 562 Putnam Pike Site, including, but not limited to any partnerships, associations, limited liability corporations, and the like.
 - The proposal shall include the following information:
 - The Developer’s name, address, telephone number, facsimile number, and authorized representative;
 - Identification of all principals who would participate in the proposed development, as well as the nature and extent of each principal’s interest in the development group and of each principal’s liability.
 - Disclosure of all partners if the Developer is a LLC;
 - A summary of references regarding previous experience of the Developer, and of the principals of the Developer, for work on similar redevelopment ventures and comparable development projects;
- Financial Strength of the Developer
 - The proposal shall contain information which, in the responder’s judgment, is sufficient to show that it possess the financial capability to complete the development that is being proposed. At a minimum said proof shall include:
 - A statement as to whether the bidder has filed for the protection of a U.S. Bankruptcy Court in the last 7 (seven) years. If this statement is in the affirmative, the bidder must describe the circumstance that led to the filing, the ultimate disposition of the matter, [e.g., reorganization with a payment plan to creditors].
 - The financial statement will be evaluated according to ability of responder to support redevelopment and shall be kept confidential.
- Project Description
- Time schedule including commencement and completion dates.

TOWN OF SMITHFIELD
State of Rhode Island

DEVELOPMENT REQUIREMENTS

- The development shall be designed to minimize negative impacts to any abutting residential neighborhood and/or abutting land to the greatest extent practicable.
- The development shall maintain the existing vegetative buffer at the perimeter of the property to the greatest extent possible and shall comply with the landscaping, lighting, and other provisions of the Landscape Ordinance.
- The development shall conform to all provisions of the deed transferring the property from the state to the Town as are applicable (See Corrective Deed Instrument # 00015805, recorded September 1, 2011).

INQUIRIES

The deadline for all inquiries is December 14, 2023 by end of day.

Inquiries concerning clarification of any portion of this RFP should be made in writing to:

Carlos Santos
Purchasing Agent
64 Farnum Pike
Smithfield, RI 02917
csantos@smithfieldri.gov

| TIMELINE | |
|--|-------------------------------|
| Request for Proposals Issued | November 22 2023 |
| Non Mandatory Site Visit – Walk Thru | December 6, 2023 at 10:00 AM |
| Deadline for Questions | December 14, 2023 End of Day |
| Proposal Due Date and Opening | December 18, 2023 at 10:00 AM |
| Town Council Meeting for potential Bid award | January 2, 2024 at 7:00 PM |

EVALUATION FACTORS

The Town will review and evaluate each submitted proposal in accordance with the requirements of this RFP. The evaluation will include weighted criteria detailed below. If further information is desired, responders may be requested to make additional written submissions or oral presentations to the Town. Purchase proposal will be evaluated on the following:

1. Responsiveness and feasibility of the proposed plan, considering overall approach/philosophy, and the Town’s analysis of the risks posed by the proposal.
2. Required documentation, ability to meet the development requirements as stated in RFP.
3. Proposer’s experience.
4. Proposer’s pricing.

| | EVALUATION FACTORS | Score |
|----|--|--------------|
| 1. | Responsiveness and Feasibility of proposed plan | 40 |
| 2. | Required documentation and ability to meet the development requirements as stated in RFP | 10 |
| 3. | Experience | 15 |
| 4. | Price Offered | 35 |
| | | |
| | Grand Total: | 100 |

FINAL SELECTION

Should the Smithfield Town Council decide to sell the parcel, it will select a responder/developer after taking into account the review, evaluation and recommendation of the Evaluation Committee in regards to the purchase proposals submitted for consideration. However, selection of the successful bidder will be in the sole discretion of the Town Council based on the best interest of the Town. Following the notification of the selected responder, it is expected a contract will be executed between the parties.

A firm’s submission of a proposal indicates acceptance of the conditions contained in this Request for Proposals unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town of Smithfield and the selected responder.



memorandum

DATE: November 15, 2023

TO: The Honorable Smithfield Town Council

FROM: Randy R. Rossi, Town Manager

RE: Re-amortization of Police and Fire Pension Fund

The Police and Fire Pension Committee met on October 25, 2023 to recommend resetting the amortization period between 15 and 19 years. After reviewing the options with the Town's actuary and the recent change to the assumed rate of return from 7.50% to 7.25% it was determined that resetting the period to 19 years would be the best option for the plans. These assumption changes will be incorporated into a forthcoming funding plan that we have begun to implement with the recent collective bargaining agreement for the firefighters. We are working towards continuing to improve the health of the police and fire pension well into the future.

Motion:

Moved that the Smithfield Town Council approve the re-amortization of the Police and Fire Pension Funds based on 19 years as recommended by the Police and Fire Pension Committees.