



October 16, 2024

BY USPS AND ELECTRONIC SERVICE

Stephanie De La Rosa, Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

RE: **Docket No. 24-33-EL - Petition of Town of North Kingstown for the  
Approval of the Proposed Community Electricity Aggregation Plan,  
Responses to PUC Data Requests – Set 1**

Dear Ms. De La Rosa:

On behalf of the Town of North Kingstown, enclosed please find the Town's response to the Public Utilities Commission's First Set of Data Requests in the above-referenced matter.

Thank you for your attention to this filing. If you have any questions regarding this submission, please contact me at (781) 856-9374.

Respectfully submitted,

Laura S. Olton  
Counsel for Good Energy, L.P.  
Consultant to the Town of North Kingstown

Enclosure

cc: Docket 24-33-EL Service List (by e-mail)

Certificate of Service

I hereby certify that a copy of the cover letter and materials accompanying this certificate were electronically transmitted to the individuals on the attached Service List.

Laura S. Olton

Laura S. Olton

October 16, 2024

Date

**Docket No. 24-33--EL – Town of North Kingstown Community Electricity Aggregation (CEA Plan)**

**Service List updated 9/5/2024**

<b>Name/Address</b>	<b>E-mail Distribution</b>	<b>Phone</b>
<b>Town of North Kingstown</b> Laura Olton., Esq. LSO Energy Advisors, LLC 38 Thackery Road. Wellesley, MA 02481  James M. Callaghan Town of North Kingstown	<a href="mailto:laura@lsoenergyadvisors.com">laura@lsoenergyadvisors.com</a> ;	781-856-9374
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<b>The Narragansett Electric Company                      d/b/a Rhode Island Energy</b>  Andrew S. Marcaccio, Esq. Celia B. O’Brien, Esq. 280 Melrose Street Providence, RI 02907	<a href="mailto:AMarcaccio@pplweb.com">AMarcaccio@pplweb.com</a> ;	401-784-7263
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<b>Division of Public Utilities &amp; Carriers</b> Margaret Hogan, Esq. Christy Hetherington, Esq. Leo J. Wold, Esq.	<a href="mailto:Margaret.L.Hogan@dpuc.ri.gov">Margaret.L.Hogan@dpuc.ri.gov</a> ;	
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<b>File an original &amp; 5 copies w/:</b> Stephanie De La Rosa, Commission Clerk Cynthia Wilson-Frias, Counsel Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888	<a href="mailto:Stephanie.delarosa@puc.ri.gov">Stephanie.delarosa@puc.ri.gov</a> ;	401-780-2017
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Town of North Kingstown  
RIPUC Docket No. 24-33-EL  
In Re: Petition of Town of North Kingstown  
Responses to the Commission's First Set of Data Requests  
Issued on October 1, 2024

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PUC 1-1

Request:

Please provide a copy of the public hearing notice that was published in the Independent on June 6 and June 13, 2024.

Response:

Please see Attachment PUC 1-1 for copies of the public hearing notices published in the Independent on June 6 and 13, 2024.

**SOUTH KINGSTOWN**

# Residents demand safety measures for ‘pedestrian hazard’

**By Flora Fan**  
Staff Writer

The South Kingstown Town Council saw complaints from residents concerning pedestrian safety near the Paddy Hill Road neighborhood in Peace Dale in a recent meeting.

“I’m asking the Town Council, each of you tonight, to take a vote to direct the town works department to put a crosswalk on Paddy Hill Road before there’s a horrible tragedy. I don’t think you want that on your consciences,” said Lorraine Horton, a lifelong resident.

She presented her concerns about the lack of safe crossing options for Paddy Hill Road residents during the meeting.

“This isn’t just about money or paperwork. This is about lives and real people,” Horton said.

Horton said that the problem lies where Paddy Hill Road meets Kersey Road, as the only sidewalk is on the far side of Kersey. On the Paddy Hill side, there is no sidewalk and no safe

shoulder in either direction. Pedestrians must cross the busy Kersey Road to reach the sidewalk.

“Kersey Road is a busy road and we are asking for a crosswalk to make it safer to cross,” she added.

“We’re talking about high school students who have to cross Kersey Road in the morning. Your 14-year-old is half asleep and trying to cross while URI students are flying by, half asleep or texting on their phones,” Horton said.

In a letter dated May 21, Horton wrote her plea to the council: “One year has passed and there has been lots of talk, several meetings, and countless hours of time expended — but exactly nothing has been done.”

According to Horton, almost all of the 14 families on Paddy Hill have young children and there are currently at least 16 children living in the neighborhood.

Catherine Canavan, a Narragansett resident whose daughter

lives on Paddy Hill Road, echoed Horton’s concerns. “As Lori stated, this has been going on for years. Now the oldest child is graduating high school. And he was little when it all first started. Now the youngest is five years old. And we’re still in the same situation.”

Canavan recounted her own experiences trying to navigate the dangerous crossing. “I pulled that wagon and tried to get the children across the street so we can go to the guild playground. I have to stop in the street with two little ones because they might have brought a friend or whatever. And I have to lift it up the front and the back onto the sidewalk so I can walk down the street,” she explained.

Public Services Director Richard Bourbonnais explained the challenges of installing a crosswalk at the location. He cited visibility and safety concerns due to the road’s slope and the high activity level around the school.

“The problem is you’re coming over the hill, you’re coming

downgrade, and the roadway gets very narrow through there,” Bourbonnais said.

He suggested that a crosswalk might give a false sense of security.

“Just putting a crosswalk in doesn’t prevent someone from being struck. It’s not going to be the safe plan to put a crosswalk in there and have children cross when the speeds are what they are, and giving people a false hope that they’re now safe because they’re in a painted lane,” he explained.

Bourbonnais pointed to alternative routes with existing crosswalks a few hundred feet away. “Children can walk in the shoulder, and they can go to North Road, they can cross at North Road, there’s a crosswalk there a couple hundred feet away,” he said.

Council Vice President Michael Marran inquired about adjusting speed limits and the impact on safety calculations. Bourbonnais explained that even reducing the speed limit

would not significantly alter the decision sight distance required for a safe crossing.

The council also discussed the solution of installing sidewalks, which would, according to Bourbonnais, require significant investment and construction efforts. “It’s not something that’s coming out of our operating budget, so to speak,” Bourbonnais added.

Council Member Patricia Alley requested cost estimates for sidewalks. “Because it sounds like that’s really the solution that’s needed, although it’s not easy or cheap. But that would be safe.”

Police Chief Matthew Moynihan supported Bourbonnais’ assessment, citing excessive speeds and the potential for accidents even with a crosswalk.

He suggested exploring automated cameras for speed enforcement.

The council agreed to conduct further studies. “We just would like some sort of report with respect to this,” Council President

Rory McEntee said.

The council voted to continue the matter to the June 24 meeting, requesting detailed reports from the Public Services Director and Police Chief.

Horton explained her personal connection to the issue in an interview. “I own one of the three-family houses there,” she said, which is how she learned about the residents’ struggles.

Reflecting on the meeting, Horton is confused about the town’s decision.

“I still have no idea what their objection is to a crosswalk. They wanted additional information, and I respect that. I am looking forward to seeing what information the police chief and the public works director will present on June 24. If they can’t find a way to put a sidewalk in quickly and cheaply, then I’m going to ask the council again to please put a crosswalk in.”

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## Funding

Continued from A1

previous council and the administration promised to the state,” said Kelly.

Town Manager James Tierney said that a thorough line-by-line review of the budget justified the recommendation. “We recommended at the time to the town council for level funding for one year, as we watch the full service of the library for one full year that they’re in place,” he said.

According to Tierney, for the current fiscal year, there is a

projected surplus of \$340,000, and for the fiscal year 2023, there was a surplus of \$145,168.

He continued, “We believe that what we submitted was proper,” and said that contingency funds would be available if necessary.

“We don’t believe it’s needed,” added Tierney.

Councilor Susan Cicilline-Buonanno was dissatisfied with the budget, particularly regarding the library’s funding and the addition of ten full-time equivalent (FTE) positions.

She said that the budget process lacked sufficient dialogue among council members and

disproportionately affected the library.

“I’m struggling with [it]. I look at [the] \$16,000 cut to the library, and I still don’t see where [it] happened to everybody else across the board,” Cicilline-Buonanno stated. “I’m not going to be able to support it tonight, especially the 10 positions on the jobs out of the rental registration and all those things that are going to support the ordinances that I didn’t originally vote for. I was ‘no’ on the council.”

Town Manager Tierney said that eight of the new positions were firefighters funded by a SAFER grant. “We budgeted

them to be very cautious about where we’re going forward with contract negotiations,” he said.

The council approved the budget with a 4-1 vote, with Cicilline-Buonanno opposing. The Narragansett Town Council also voted unanimously during its meeting to increase the number of permits for Mobile Food Establishments (MFEs) from 16 to 20. This ordinance, approved with a 4-1 vote.

The amendment, introduced by Town Council President Ewa Dzwierzynski, is a response to the several applications on the waitlist.

According to Dzwierzynski, in 2019 the Town of Narragansett amended its Code of Ordinances adding a new division for Mobile Food Establishments (MFE) to be in compliance with state laws that were adopted regulating MFEs separately from Peddlers Licenses. The current limit on the total number of permits the town can issue for MFEs is 16. This number was increased from 12 in August of 2022.

“I am recommending that the Town Council increase the number of permits to 20 as we have several applications currently on the waitlist,” said Dzwierzynski, during the

meeting.

She continued, “The ordinance limits the locations the MFEs are able to sell their products and I am not aware of any issues with the current MFEs operating in town. Allowing additional MFEs to operate in town will create more diverse dining options for residents and town visitors.”

Councilor Jill Lawler dissented, “my only concern is that we have companies paying taxes for brick and mortar. And I would certainly hate to have anybody not go to those establishments, because of this.”

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## Firm

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were told,” said Town Council member Deb Bergner about the finding protection with this kind of oversight.

The South Kingstown Town Council recently approved a nearly \$9.6 million contract for the Gilbane Building Company to manage the construction manager at risk services.

According to the Federal Emergency Management Agency (FEMA), the construction manager at risk (CMAR) method involves hiring a construction manager early in the building process to play a critical role in estimating design costs.

The School Building Committee and School Committee have also supported Gilbane for CMAR services for

the construction of a new high school and associated athletic complex.

Bergner said she especially liked that Gilbane indicated that several of its staff working on the project live in South Kingstown. “They said they know how important it is to get it right,” she added.

Republican Greg Sweet, a council member who often questions government spending, said, “If it’s going to keep us on budget and on track, then I’m in favor of it.”

The Warwick school system recently chose competitor Dimeo Construction Co. — over Gilbane — for that system’s CMAR job for two high school building projects.

The Warwick Beacon reported in April that Chris Spiegel, a senior project manager at LeftField Project Management, who the Warwick School Committee

retained as its project manager, said Dimeo had an edge over Gilbane due to the interview with that city’s Building Committee.

“In the end, Dimeo did provide higher scores across every single interview metric, as well as the pricing,” Spiegel said according to The Beacon’s report on the selection.

Spiegel and his company are also the project managers in South Kingstown and assisted with its selection process.

This newspaper recently asked town officials and the Town Council to explain how the process in South Kingstown will work to keeping costs from escalating and buffer any further tax increases.

The council and town officials, through staff and advisors, offered explanations about the use of a CMAR. It is the first time the town has taken this approach.

Their following answers have been edited for brevity and clarity.

**What is a “construction manager at-risk” compared to other “construction managers” and “general contractors”?**

The South Kingstown High School replacement project offers three main delivery methods: design-bid-build, design-build, and construction manager at risk.

The Town Council particularly needs the CMAR working early in the design process, overseeing how each builder profits from the work, and assessing approaches to risk management around construction and costs.

Residents are encouraged to visit the project website ([sk-schoolproject.com](http://sk-schoolproject.com)) for a detailed presentation on the variances between the three delivery methods.

**Why did the School Building Committee recommend the construction manager at-risk?**

The decision was based on several factors:

Transparency of fee structure—The CMAR model allows for negotiation of a flat fee, providing transparency in trade costs and active involvement in selecting trade shops.

Role in the design process—The CMAR’s early involvement helps reduce project costs and eliminates financial incentives for cost inflation compared to the design-bid-build model.

Management of risk - CMAR’s participation in architectural drawings and architect trade buyouts shifts the risk of cost overruns to the CMAR, unlike the design-bid-build model where the town bears all the risk.

**What kinds of background research — including actual**

**use by other municipalities doing school building construction — did the SBC do for the town on this approach?**

Last summer the SBC conducted meetings and reviewed presentations by its project manager on the differences and advantages/disadvantages of construction delivery methods.

CMAR is the preferred method for large public K-12 construction projects in both Massachusetts and Rhode Island, with approximately 90% of the dollar value of work going to CMAR delivery. The School Building Authority in Massachusetts has officially recommended CMAR over design-bid-build.

Most RI municipalities, with the exception of Providence and Central Falls, opt for CMAR due to its benefits such as project scheduling, bonus points reimbursement, advisory role during the design process, and minimizing change orders, making it the best value for the town.

**What distinguished Gilbane from Shawmut and Dimeo, other competitors for the job?**

Gilbane received high praise from all participants for their thoughtful project approach, deep understanding of the South Kingstown community, experienced staff, and overall value for the cost.

Notably, six team members, including the senior project manager, senior superintendent, and community liaison, are long-time South Kingstown residents with strong connections to the town.

**How does salary and payments work for this company?**

The CMAR will work with our team to develop a project that meets our needs and is within our prescribed budget (capped by the \$150 million bond). Once key decisions, the CMAR

will provide a cost to deliver the entire project — an amount not to exceed. At that point ... the CMAR assumes all of the risk.

The town will have certainty that the cost will not exceed the agreed-upon price. If inflation rises or certain issues arise that increase material or labor costs, these would be absorbed by the CMAR, not the town. Therefore, the benefit to the town of a CMAR model is the certainty of product delivery and cost.

If the project costs exceed the negotiated guaranteed maximum price with the CMAR, the town is not subject to cost increases or out-of-pocket expenses due to fluctuations in materials and labor. The CMAR will bear these costs.

**When does the person or group start work?**

The project manager has been working on this project since July of last year, and the construction manager at risk has already begun work as of the Town Council approval.


**What kind of planning is needed by this person before groundbreaking? When is groundbreaking expected?**

The design process for the new high school involves important milestones such as Rhode Island Department of Education approvals and submissions to the School Committee and Town Council.

Feedback from these groups can influence the design. The SBC plans to give regular public presentations to the community, with the first meeting scheduled for July. Updates on design, construction logistics, and schedule expectations will be available on the project website.

*Write to Bill Seymour, a freelance writer, at [independent.south-countylife@gmail.com](mailto:independent.south-countylife@gmail.com).*

**NOTICE  
TOWN OF NORTH KINGSTOWN**



Notice is hereby given that the Town Council of the Town of North Kingstown, acting as a Board of License Commissioners, is accepting Alcoholic Beverage Applications for:


**one (1) Class B Full Alcoholic Beverage License**  
**one (1) Class B Limited Alcoholic Beverage License**

Interested individuals may obtain applications at the Town Clerk’s Office, Monday through Friday, between the hours of 8:30 AM and 4:30 PM.

All applications and supporting documentation must be filed with the Town Clerk no later than 4:30 PM, Monday, June 17, 2024.

Jeannette Alyward  
Town Clerk

**Town of North Kingstown  
Notice of a Public Hearing**



Notice is hereby given that the Town of North Kingstown Town Council will hold a public hearing on Monday, June 24<sup>th</sup>, 2024 at 7:00 PM in the North Kingstown Town Hall, 80 Boston Neck Road, North Kingstown, RI, for the purpose of hearing all persons comment on the following:


The town’s selected consultant, Good Energy, has worked with town staff to draft a community electricity aggregation plan for Noth Kingstown. A community electricity aggregation program will create a new default electricity supply for North Kingstown residents and businesses. Instead of utilizing RI Energy’s default electricity supply, North Kingstown will bundle together the electricity load of residents and businesses and use that buying power to procure the electricity supply. With community electricity aggregation, the Town is able to make strategic decisions about when to solicit bids, lock in fixed pricing for a specific term, and increase the amount of renewable energy above the existing statewide minimum. Residents and businesses will be able to elect not to participate in this program.

Those interested in providing comment may do so during the hearing or in advance by writing to the planning department via mail at 100 Fairway Drive, North Kingstown, RI 02852, or emailing [jmcauley@northkingstownri.gov](mailto:jmcauley@northkingstownri.gov). After public comment, the council may vote on whether to approve the plan and submit it to the Public Utilities Commission for their review, or request changes to the plan.

The draft plan may be obtained by request via email to [jmcauley@northkingstownri.gov](mailto:jmcauley@northkingstownri.gov). A paper copy of the plan is also available at the North Kingstown Department of Planning & Development, 100 Fairway Drive. A copy of the draft plan may also be viewed at <https://www.northkingstownri.gov/1042/Community-Electricity-Aggregation-Plan>.

The Town of North Kingstown will provide interpreters for the hearing impaired provided that three (3) days written notice is given in advance.

**TOWN OF NORTH KINGSTOWN  
COLLECTOR’S SALE OF ESTATES  
FOR TAXES AND ASSESSMENTS  
DUE AND UNPAID  
WILL BE HELD  
JUNE 7, 2024 AT 9:00 A.M. LOCAL TIME**



The undersigned, Finance Director of the Town of North Kingstown, hereby gives notice that she will sell at public auction to the highest bidder, according to law, in the Courtroom at the Municipal Office Building, 100 Fairway Drive, North Kingstown, Rhode Island on Friday, June 7, 2024 at 9:00 A.M. Local Time, various parcels of real estate or so much thereof as may be necessary to pay the taxes and assessments which constitute a lien thereon (including where applicable, any tangible taxes and/or any liens pursuant to Rhode Island General Laws 23-27.3-125.7), together with interest, costs and expenses incident to this sale, as set forth in the original Advertisement of May 16, 2024 published in *The Northeast Independent* of that date, to which reference is hereby made.

Property upon which taxes and assessments have been paid since the advertisement first appeared will not, of course, be included in the sale.

**DEBRA J. BRIDGHAM  
FINANCE DIRECTOR  
TOWN OF NORTH KINGSTOWN**

# Narragansett

Continued from A1

their strength and growth, encouraging them to continue striving for excellence and to maintain a growth mindset as they embark on their next adventures.

Principal Fiore listed the class's accomplishments, including 277 AP exams taken by 87 students (65% of the senior class), 12 AP Scholars, and numerous accolades in academics, arts, and athletics.

Biology teacher Adam Reis, known for his unique teaching style, captivated the audience with his reflections on the natural world, drawing parallels

between the traits of plants and animals and the virtues he wished for the graduates.

"But of all the great species in the natural world, humans are the most amazing because we are defined by our ability to choose," Reis concluded. "We can be whoever we choose to be and influence the world however we decide. Thank you for listening to a biology talk one more time. You're especially wonderful people. Take care and choose well."

Salutatorian Julianne Harris acknowledged the unique gifts each student brought to the class and the collective lessons learned.

"We cannot just go from walking across the stage here

today to living our dream lives," she said. "The journey is what gives the achievement meaning."

Harris reminded her peers to take things step by step and enjoy the journey, and not to get overwhelmed by the future, "Simply wake up each day ready to win that day. Focus on and embrace the day in which you are currently living."

During the ceremony, a video tribute to the class of 2024 was played, showing students over the years from kindergarten to high school. Seniors also performed songs, with Ruby Costa and Taylor Lloyd singing "The Star-Spangled Banner" and the chorus performing "Remember Me."

"It was just an amazing day," said graduate Aidan Austin Flynn after the ceremony. "I'm really proud of everyone in this class. The salutatorian, the valedictorian, they did an amazing job with their speeches. The class advisors were incredible."

Skylar O'Neill, the senior class president, found this moment bittersweet. "I've known all these kids for at least 12 years. There have been some new people from Jamestown or South Kingstown, but I feel like by this time, we've built a family after four years. It's going to be very hard to leave this family that we created."

*ffan@independentri.com*



PHOTO: MICHAEL DERR

**Narragansett High School graduates Ruby Costa and Taylor Lloyd sing "The Star Spangled Banner" during the school's commencement exercises held last Thursday evening at The Ryan Center.**

# Prout

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nervous freshman to the confident graduate standing before them.

"Four years ago, I remember being a freshman, having no idea what I got myself into with this whole high school deal," Madeleine said. "My parents told me I was going to a Catholic school, and I had to choose between Prout and La Salle. I remember touring both schools, and I knew right away, when stepping into the Prout gym, that this was the right place for me. The Catholic values, athletics, and academics inspired me, but it was the gut feeling I had that this was the

right choice."

She continued, "Religion is about faith — faith in God to guide us through life and faith in ourselves that we are strong enough to keep getting back up."

The presentation of diplomas hit the climax of the ceremony. Each senior's profile was read aloud with their achievements and the names of the universities they will be attending.

Waela Van Nostrand, the class salutatorian who will attend Northeastern University this fall, delivered a farewell speech. She spoke about the role of the teachers and staff as shepherds, guiding the students through their high school years.

"The Prout good shepherds have taught us how to be resilient

and adaptable," she said.

Van Nostrand elaborated on how these "good shepherds" had nurtured them not only academically but also personally, helping them navigate the challenges of adolescence and the unexpected trials brought on by the pandemic.

She recalled the days when they braved the cold, bundled in their winter outerwear because the windows had to remain open at all times.

Their teachers went above and beyond, offering extra help sessions, providing words of encouragement, and creating a safe and supportive environment for all students.

"Shepherding is the extreme expression of God's love. As we leave Prout to pursue our

academic goals and strive to be an asset to society and the environment, we carry in our hearts the skills and values to be good shepherds for others in the world, as well as be a constant follower of the Good Shepherd, our Lord," she concluded. "Through four years at Prout, the teachers and staff are good shepherds who have equipped me with the necessary skills to leave the school as a good shepherd."

Principal David Estes recognized students Ben Leal as the Prout Crusader Award recipient and Mary Fonfara as the Elizabeth Prout Award recipient for this year.

In his closing remarks, Principal Estes praised the class of 2024 for their resilience, calling

them "historic" for their perseverance through unprecedented times.

"Yes, we have all lived through a historic period of challenge for our world and our school. As you began your time with us as freshmen, we were challenged as to how you were going to connect to our Catholic community and each other over barriers previously unknown," he continued. "I believe that our school has continued to grow for the last four years because of what you taught us, knowing how to better love, care and support our students, further deepening the meaning of being a Catholic community of learners, believers, and friends."

The Most Reverend Richard

Henning delivered the final benediction, blessing the graduates and the entire congregation. "May almighty God bless these young people and all of us gathered here," he said.

Prout students tossed their caps in front of the Cathedral of Saints Peter & Paul, celebrating the last chapter of their high school years.

"Being at the cathedral feels very important, almost, and definitely like a great place for me to end my high school experience," said Jack Gwaltney.

"I'm super emotional. It's very bittersweet," said Emma Baird, who said she will always remember her last Spirit Week at Prout.

*ffan@independentri.com*

## NORTH KINGSTOWN

# NK Town Council rejects call to fly Pride flag at town hall

## Citing lack of policy on non governmental flags, council says town can't favor groups

By Flora Fan  
Staff Writer

The North Kingstown Town Council meeting on Monday night saw debate over a request to fly the Pride flag at Town Hall during Pride Month.

"Hate is really loud, and you

all have an opportunity to show that we are a community where love is louder," said North Kingstown School Committee member Jennifer Lima, the President of the organization Towards An Anti-Racist North Kingstown (TANK).

TANK brought this issue to

Town Hall, requesting North Kingstown raise the Pride flag.

Joseph Teixeira, a local resident, opposed flying the Pride flag.

"As a citizen, taxpayer, and voter in this town, I am not in favor of having the Pride flag flown on any public building in our town at all," he said.

He emphasized what he said was the sanctity of the United States flag for his reasoning and proposed a Veterans Appreciation Month in June, citing D-Day and Flag Day.

"We must teach the next generation in our schools the importance of our veterans' sacrifices across America so that America can continue to be the

bright beacon of hope in the world," Teixeira added.

Kathleen Guarino, a local resident, advocated for the flag, "When it flies high overhead in front of this historic town hall, it sends a message that North Kingstown is a good, inclusive, and welcoming town," she said.

Jules Wagner shared personal experiences and stressed the importance of visibility and acceptance, especially for young people.

"It's amazing to me the number of young people I run into in this state and elsewhere, where they know when I am clear and open about the fact that I'm trans," Wagner said. "It seems to give them hope, especially the young people, where they just don't know many people, especially older folks, that it's possible to try to figure out who your authentic self is."

Lee Domaszowec raised concerns about setting a precedent that could lead to numerous flag requests and potential conflicts.

"We can find meaningful alternative solutions so that we can let the world in our town know that we are a welcoming community," he suggested.

According to Town Attorney James Callaghan, North Kingstown does not have a written policy regarding the flying of flags on town property.

He added, "from what I also understand is the basic unwritten policy has been the town has often, if not always, denied requests to fly flags other than the United States flag, Rhode Island flag, town flag, and Prisoner of War/MIA flag."

Callaghan noted that without a written policy, the town could face legal challenges based on the Supreme Court decision on Shurtleff v. City of Boston.

"In the decision, the court said, absent a written policy, flag raising on a government building can be considered free speech or free private speech, and if you don't have a policy, you can't really deny one group or the other," said Callaghan.

Callaghan recommended that the policy should adopt a policy that states any flag raised on town property represents "governmental speech communicating a message from the town of North Kingstown to the public, to which the First Amendment does not apply."

His legal opinion is that the town should limit flag displays to the U.S., Rhode Island, North Kingstown, and POW/MIA flags.

"Opening the door to any other flags opens us up to potential litigation down the line," Callaghan explained.

Councilor Kimberly Page emphasized the need for a policy

to avoid divisive flag requests, saying, "I personally have no problems. We open ourselves up, but we say yes to this one and don't have the policy in place ahead of time, so I would advocate that we have the policy in place ahead of time, and then we start looking at what flags we will fly."

Councilor Matthew McCoy said he doesn't "want to see the flagpole in front of our town hall become the battleground for our nation's culture war."

Councilor Lawrence Mandel said he is "very conflicted."

"I support us having a policy, whether the policy is the U.S., Rhode Island, North Kingstown, and POW/MIA, or something slightly more flexible," Mandel said.


The council denied the request to fly the Pride flag by a vote of 3-1. Page voted no on the denial.

Instead of that, the council decided to initiate a resolution supporting Pride Month.

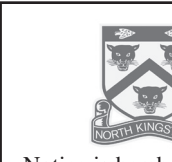
Councilor Katie Anderson was absent due to personal reasons.

"Inclusion and visibility matters. No one's identity is inherently divisive. It's how we respond that can make it so," Council President Gregory Mancini read from a statement by Anderson.

*ffan@independentri.com*



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**Town of North Kingstown**  
Notice of A Public Hearing


Notice is hereby given that the Town of North Kingstown Town Council will hold a public hearing on Monday, June 24<sup>th</sup>, 2024 at 7:00 PM in the North Kingstown Town Hall, 80 Boston Neck Road, North Kingstown, RI, for the purpose of hearing all persons comment on the following:

The town's selected consultant, Good Energy, has worked with town staff to draft a community electricity aggregation plan for North Kingstown. A community electricity aggregation program will create a new default electricity supply for North Kingstown residents and businesses. Instead of utilizing RI Energy's default electricity supply, North Kingstown will bundle together the electricity load of residents and businesses and use that buying power to procure the electricity supply. With community electricity aggregation, the Town is able to make strategic decisions about when to solicit bids, lock in fixed pricing for a specific term, and increase the amount of renewable energy above the existing statewide minimum. Residents and businesses will be able to elect not to participate in this program.

Those interested in providing comment may do so during the hearing or in advance by writing to the planning department via mail at 100 Fairway Drive, North Kingstown, RI 02852, or emailing [jmccauley@northkingstownri.gov](mailto:jmccauley@northkingstownri.gov). After public comment, the council may vote on whether to approve the plan and submit it to the Public Utilities Commission for their review, or request changes to the plan.

The draft plan may be obtained by request via email to [jmccauley@northkingstownri.gov](mailto:jmccauley@northkingstownri.gov). A paper copy of the plan is also available at the North Kingstown Department of Planning & Development, 100 Fairway Drive. A copy of the draft plan may also be viewed at <https://www.northkingstownri.gov/1042/Community-Electricity-Aggregation-Plan>.

The Town of North Kingstown will provide interpreters for the hearing impaired provided that three (3) days written notice is given in advance.



**NOTICE**  
**TOWN OF NORTH KINGSTOWN**

Notice is hereby given that the Town Council of the Town of North Kingstown, acting as a Board of License Commissioners, is accepting Alcoholic Beverage Applications for:

**one (1) Class B Full Alcoholic Beverage License**  
**one (1) Class B Limited Alcoholic Beverage License**

Interested individuals may obtain applications at the Town Clerk's Office, Monday through Friday, between the hours of 8:30 AM and 4:30 PM.

All applications and supporting documentation must be filed with the Town Clerk no later than 4:30 PM, Monday, June 17, 2024.

Jeannette Alyward  
Town Clerk

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