

REGION

NORTH KINGSTOWN

Embury: Wickford business owners don't support Hussey Bridge repair options

By Chris Church
Staff Writer

Wickford business owners do not support either of the two repair schedules offered to fix the Clarence L. Hussey Memorial Bridge, according to North Kingstown Town Manager Michael Embury.

The state Department of Transportation is managing the project and has proposed two options: Either close the bridge to all traffic for about three-and-a-half months this fall, or keep the bridge open to traffic and have construction occur on and off for about 18 months.

Embury brought the proposal to business owners last week.

"They weren't really enthused about closing the bridge down for three months," he said. "They said that time of year is when they start being able to make money, and a lot of the orders for that part of the season have already been placed."

If the bridge were to close during the three-and-a-half month construction window, northbound traffic into Wickford would be diverted off Boston Neck Road through side streets such as Beach Street, Lindley Avenue and Fairway Drive onto Annaquatucket Road, then Tower Hill Road and eventually



PHOTO: MICHAEL DERR

The state Department of Transportation has set aside \$1.3 million for the repair of the Clarence L. Hussey Memorial Bridge in Wickford, but local business owners do not support the two repair schedules presented by the agency, according to North Kingstown Town Manager Michael Embury.

Phillips Street.

Construction would begin in early September and wrap up around early December.

If the bridge were to be kept open during the 18-month construction window, temporary traffic lights would be put up on either side of the bridge. Construction would take longer because work would take place in the

spring, stop during the summer, begin again in the fall and then stop for the winter.

Embury said business owners are discussing a modified version of the longer schedule option, and he will be meeting with them later this week.

The DOT has set aside \$1.3 million for the project, which will include repair work on

the deck, sidewalks, concrete abutments, and steel hangers and railings on the bridge.

The bridge also will be repainted, the lighting system will be upgraded and the approaches to the bridge will be repaved.

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SUPERIOR COURT

Judge denies motion to vacate \$80K jury awards

By Chris Keegan
Associate Editor

A Superior Court judge has denied a request by the town of East Greenwich to vacate jury awards in the Sarah's Trace case, but may reduce the \$80,000 awards to three couples.

During a May 14 hearing at the Noel Judicial Complex in Warwick, Judge Bennett R. Gallo declined to throw out the jury awards, but questioned whether the \$80,000 amounts were reflective of the evidence in the case.

In March, a jury found the

town created and maintained a private nuisance during the construction of Archie R. Cole Middle School between 2009 and 2011. Following a three-week trial, jurors awarded three couples – Christopher and Susan Lamendola of 50 Sarah's Trace, Thomas Hogan and Cynthia Peloso of 40 Sarah's Trace and Keith and Wendy Amelotte of 35 Sarah's Trace – \$80,000 each for the diminished use and enjoyment of their properties.

The couples alleged the use of vibratory rollers and heavy track equipment at the Cedar Avenue site shook their homes and caused cracks in

foundations, walls and other areas on their properties.

During the trial, the judge dismissed claims of negligence against the town, the East Greenwich School District and the companies involved in the construction of the school and the demolition of the town's former junior high.

The town's attorney, Michael DeSisto, asked Gallo to consider three post-trial motions: one to vacate the \$80,000 awards entirely, claiming the homeowners failed to prove the elements of a private nuisance; one to reduce the awards to no more than \$7,200, calling the jury's assessments

"unreasonable and excessive"; and another to eliminate all accrued interest.

During last week's hearing, DeSisto argued that while construction vibrations may have been "annoying," they posed no material interference with the homeowners' physical comfort or the use of their real estate. The school district was well within its right to build a new school on the property, he said.

"It would be different if the plaintiffs provided evidence that the [school district] was

Awards/A4

NORTH KINGSTOWN

Board OKs revised plans for Tractor Supply Co.

By Chris Church
Staff Writer

Plans to open a Tractor Supply Company store in the Kingstown Plaza shopping center, 6615 Post Road, North Kingstown, moved forward this week, after members of the Planning Commission unanimously approved a revised development plan.

The commission also voted to give a favorable recommendation to the Zoning Board of Review on the company's special use permit application for outdoor display areas.

The Zoning Board will meet to discuss the application

Tuesday at 7 p.m. in the Town Hall conference room, 80 Boston Neck Road.

Plans call for a renovation of the former HomeGoods building, demolition of an existing garage and about 18,600 square feet of outdoor storage space in four locations on the site. Original plans called for the relocation of a Santander Bank ATM and about 21,000 square feet of outdoor storage space.

The Grossman Companies, which owns the shopping plaza, has struggled to replace its anchor tenant after HomeGoods moved to The Shops at Quonset Point shopping center in 2012.

Plans for the Tractor Supply Store were submitted late last year, but fell short of several guidelines set forth in the Post Road corridor plan. The proposal needed relief from several requirements – specifically, a town ordinance banning outdoor sales, storage and display on commercial properties along Post Road.

Last month, the Town Council passed an ordinance that allowed for limited outdoor sales, storage and display on those properties.

Without the change, the

application would have come to a standstill and the company would have passed on the property, Matthew Callaghan, a lawyer for the property owners, previously told the Planning Commission.

The commission approved the revised plan after asking several questions about the layout, parking, lighting and types of materials that would be displayed and stored outside.

Planning/A4

EAST GREENWICH

Police: Suspect skimmed at least 921 BankNewport account numbers

By Chris Keegan
Associate Editor

East Greenwich Police have charged a New York man with using a card skimmer to access the accounts of hundreds of BankNewport customers and stealing thousands of dollars from the Division Street branch in March.

Carlos Cisneros, 52, of Queens, New York, was charged May 5 with accessing a computer with intent to defraud (a felony), after police reviewed surveillance photographs from the 1000 Division St. branch over four days in March, and linked Cisneros to similar thefts across the state.

According to a police report, a BankNewport official told police that 921 cards at the East Greenwich and Middletown branches were compromised; the East Greenwich branch alone lost about \$63,000, and customers' account information and PIN numbers were stolen.

Similar activity was reported at branches in Barrington and Jamestown.

A card skimmer is a device that can be fixed over the card slot of an ATM to secretly swipe debit or credit card information as customers use the machine. Card information stored by the skimmer can be used to create new cards that provide access to customers' accounts.

The surveillance photographs reviewed by Detective Lt. Jeremy Fague reportedly show a man walking in the travel lane alongside the local bank's ATM machine on the morning of March 19. The suspect visited the ATM several times over the next three days.

"During that time period, [he] returned to the ATM about every 12 hours to change the battery on the skimmer as well as use a test credit card to make sure that it was working," Fague noted.

A bank official told police the skimmer was taken to New York City, where the information it gathered was downloaded onto fake credit cards.

"These fake cards, now containing the account information of at least 921 people, were then used at numerous ATMs through[out] the NYC

boroughs," Fague wrote. "Almost all accounts were hit for the maximum \$500 daily withdrawal amounts. Accounts that had less than \$500 were emptied."

Fague said a Warwick Police detective identified Cisneros as a suspect involved in numerous skimming thefts around the state. He faces charges in Coventry, Jamestown, Johnston and Middletown, while his alleged accomplice – Moises Morales Cano, 30, of Astoria, New York – faces charges in five communities.

According to a WPRI.com report, the two men are accused of stealing the account information of more than 125 Greenwood Credit Union customers in Warwick, where they allegedly stole about \$65,000 in cash. Police believe the pair may be connected to a number of similar incidents along the East Coast.

In a press statement, BankNewport said less than three percent of BankNewport ATM debit cards were affected. The bank closed all of the debit cards that were compromised at the Barrington and Jamestown branches, but opted not to close cards that were compromised in East Greenwich and Middletown; instead, the withdrawal limits on those cards were lowered, and customers were provided with replacement cards.

"BankNewport's first priority is preserving the trust of our customers and the bank moved decisively and quickly to address our customers' needs," said Lesley Vogt-Behan, BankNewport's vice president of compliance and security manager. "Customers are not held financially responsible for any debit card fraud."

Cisneros entered no plea to the East Greenwich Police charge during a May 5 arraignment in Third Division District Court, where bail was set at \$10,000 surety bail. State prosecutors are scheduled to review the case June 1.

Under state law, individuals convicted of accessing a computer with intent to defraud face up to five years in prison, and a fine up to \$5,000.

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MEMORIAL DAY EARLY DEADLINES

Issue of Thursday, May 28, 2015

– NEWS –

Arts & Living section – Thurs., May 21, noon
Neighbors section (weddings, school & library news, events, etc.) – Thurs., May 21, noon
Letters to editor & press releases – Fri., May 22, 10 a.m.
Sports scores & press releases – Fri., May 22, 4 p.m.

– ADVERTISING –

Other Display – With proof – Thurs., May 21, 3 p.m.
 Without proof – Fri., May 22, 10 a.m.
Classified – Display box ads – Fri., May 22, 11 a.m.
 Line ads – Tues., May 26, 10:00 a.m.
Legals – Tues., May 26, 10 a.m.

The offices of Independent Newspapers will be closed on Monday, May 25, for the Memorial Day holiday.

PUBLIC NOTICE

BLUE BEACH DISPOSAL AREA FORMERLY USED DEFENSE SITE RESTORATION ADVISORY BOARD ASSESSMENT

The U.S. Army Corps of Engineers (USACE) is required to assess community interest in forming a restoration advisory board (RAB) at Formerly Used Defense Sites (FUDS) every 2 years. USACE is investigating the former Blue Beach Disposal Area, located in North Kingstown, Rhode Island, under the Defense Environmental Restoration Program for FUDS. The site was established in 1940 and used by the U.S. Navy as a disposal area. USACE is issuing this notice to assess public interest at this site and determine whether the formation of a restoration advisory board is appropriate.

A RAB is one of many methods USACE may use to facilitate public participation. Regardless of whether a RAB is formed, USACE will continue to involve the community in accordance with FUDS regulations. The RAB provides a collaborative forum for the community, government agencies, tribes, and property owners to discuss and identify the most efficient and productive means to restore the environment. A RAB should be established when there is sufficient and sustained community interest, and any of the following criteria are met:

- 1) The closure of an installation involves the transfer of a property to the community;
- 2) At least 50 citizens petition the installation for the creation of a RAB;
- 3) Federal, state, tribal, or local government representatives request the formation of a RAB; or
- 4) The USACE determines the need for a RAB based on community responses to a solicitation for input, correspondence, media coverage, and other relevant information that show that there is sufficient and sustained community interest in the establishment and operation of a RAB.

The former Blue Beach Disposal Area comprised 13 acres and was located within the former Quonset Point Naval Air Station. From 1940 to 1974, the U.S. Navy used the site for the storage and disposal of vehicle parts, machinery, construction debris, drummed materials, and miscellaneous wastes. The property was transferred to the Rhode Island Port Authority in 1978 and is currently used by several businesses. The purpose of the ongoing Remedial Investigation is to further assess environmental impacts associated with the historical use of the Blue Beach Disposal Area.

The USACE-New England District welcomes public feedback regarding community interest in establishing a RAB for the former Blue Beach Disposal Area. Inquiries or questions should be submitted within 30 days of this notice via email to NAERABFile@usace.army.mil or via mail to USACE c/o HydroGeoLogic, Inc., 340 East Palm Lane, Suite A240, Phoenix, Arizona 85004. Within 60 days of publication of this notice, USACE will make a determination on whether a RAB will be formed. Individuals that express interest will be notified via email or U.S. mail of the USACE's determination.

An Information Repository, which documents the rationale for all remedial action decisions, is maintained and is accessible to the community at the North Kingstown Free Library, located at 100 Boone Street in North Kingstown, Rhode Island.

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