

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 24th day of March 2014 A.D. at 7:00 p.m.

President Roderick opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call:	Edward A. Roderick-President	William P. Gerlach
	Denise M. deMedeiros-Vice President	Jay J. Lambert
	James Arruda	Brett N. Pelletier
	Joan B. Chabot	

Town Administrator, Matthew Wojcik and Town Solicitor, Andrew M. Teitz were also present.

Approval of Consent Agenda:

All items listed with (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

President Roderick requested Councilor Arruda read the Proclamation for Donate Life Month April 2014. President Roderick read the items on the Consent Agenda. Councilor Pelletier requested removal of item CA3b, Correspondence – Receive and File Invitation to Join the Aquidneck Island National Police Parade May 4, 2014 and Councilor Arruda requested removal of item CA3c1, Correspondence – Receive and File Burrillville Town Council Resolutions-Support of S2135, H7095 and H7580 Relative to Common Core Mandates and Standards.

Councilor Gerlach made a motion, seconded by Councilor Pelletier to approve the items on the Consent Agenda except for those removed. Motion passed unanimously.

The Consent Agenda was as follows:

PROCLAMATION – DONATE LIFE MONTH APRIL 2014

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings:

- a. Approval of Minutes Regular Council Meeting March 10, 2014
- b. Approval of Executive Session Minutes March 10, 2014
- c. Approval of Minutes Regular Council Meeting February 24, 2014
- d. Approval of Executive Session Minutes February 24, 2014

A-2-Receipt of Minutes from the Following Boards, Commissions:

- | | |
|-------------------------------------|------------------------------|
| a. Economic Development (2) | d. Library Board of Trustees |
| b. Wastewater Management Commission | e. Prevention Coalition |
| c. Board of Canvassers | f. Open Space |

A-3-Correspondence – Receive and File:

- a. Thank You Letter From Samaritans of Rhode Island
- c. Burrillville Town Council Resolutions
- 2. Opposing S2411 Relating to Labor and Labor Relations Arbitration – Continuance of Contractual Provisions
- 3. Opposing H7464, and H7465 Relating to Labor and Labor Relations; Continuance of Contractual Provisions
- 4. Supporting H7501 and H7502 Relating to Courts and Civil Procedures – Interest on Judgments
- 5. Support of H7291 – Amendments to RIGL16-7-44 School Housing Project Costs
- d. Portsmouth Town Council Resolution in Support of S2091 to Repeal the Master Lever Voting

e. Armenian National Committee Request for Flag to be Flown on April 24th

A-4-Treasurer Denise Saurette – February Budget Expense and Revenue Report

BUSINESS BROUGHT BEFORE THE COUNCIL

CA3b-Invitation to Join the Aquidneck Island National Police Parade May 4, 2014

Councilor Pelletier brought attention to the Invitation to march in the Aquidneck Police Parade, May 4, 2014. The parade is dedicated to Officer Sean Collier who lost his life during the Boston Marathon Bombings, Frank Lima, retired Middletown Police Officer, lost his life when struck by a motor vehicle and the 105 officers who lost their lives in the line of duty in 2013.

Councilor Pelletier made a motion, seconded by Councilor deMedeiros to receive and file correspondence regarding the Invitation to Join the Aquidneck Island National Police Parade May 4, 2014. Motion passed unanimously.

CA3c-Burrillville Town Council Resolutions 1. Support of S2135, H7095 and H7580 Relative to Common Core Mandates and Standards

Councilor Arruda supported delaying the implementation of Common Core State Standards. Suggested Tiverton could do some type of resolution. Sally Black, School Committee (SC) Chair noted the SC did a formal resolution in January. Town Clerk suggested S/C forward the resolution and she will prepare one for Council.

Councilor Arruda made a motion to receive and file the Burrillville Town Council Resolution in Support of S2135, H7095 and H7580 relative to Common Core Mandates and Standards. Motion passed unanimously.

OPEN PUBLIC FORUM FOR ANNOUCEMENTS, COMMENTS, QUESTIONS

Tom Ramotowski, Chair of the Conservation Commission requested the Council consider excavation standards for quarries. Listed for scheduling a public hearing later in the agenda, the proposed ordinance is a vast improvement. Suggest having a hydrologist look to see if depths are sufficient before having the public hearing. . Sally Black introduced Quahog Man to the audience, had been to Rally Park was a big hit. Will be going around to all the schools. Speaking as a private citizen, Mrs. Black commended the Council for the hard work on budget. Also thanked Town Clerk Nancy Mello, Councilor Denise deMedeiros and Treasurer Denise Saurette, was a difficult process.

PUBLIC HEARINGS & PUBLIC PRESENTATIONS:

TOWN COUNCIL SITTING AS BOARD OF LICENSING

ELJ, Inc., 703 Metacom Ave, Bristol, RI –Requests Approval of Street Excavator License – Subject To Meeting All Legal Requirements

DPW Director Steve Berlucchi recommended approval for this license, has a similar license in Bristol.

Councilor Pelletier made a motion, seconded by Councilor deMedeiros to approve a Street Excavator License for ELJ, Inc., 703 Metacom Ave., Bristol, RI subject to meeting all legal requirements. Motion passed unanimously.

APPOINTMENTS & RESIGNATIONS:

Harbor Commission – Appointment Currently 3 Vacancies

David E. Vannier, 148 East Demello Drive - Two Year Term to Expire 7/15/2016

President Roderick was glad former Harbormaster Vannier continued to have interest in the Harbor Commission. Councilor Pelletier questioned if the 3 vacancies had special qualifications like recreational boater. Town Clerk Mello planned on advertising vacancies for Boards and Commissions will put specs.

Councilor Pelletier made a motion, seconded by Councilor Gerlach to appoint David Vannier to a 2 year term to 7/15/2016 on the Harbor Commission. Motion passed unanimously.

Harbormaster - Resignation of Robert L. Terlisner

President Roderick noted this was carried over from the last meeting. Harbor Commission Chair Bruce Cox urged the Council to move on appointing an Interim Harbor Master (HM). The current HM recommended a young man who has been assisting. Later in the agenda is the advertising for a full time HM, encourages the Council to accept the request of Mr. Loomis to be HM at this juncture. T/A Wojcik has the application, will give a recommendation. Solicitor Teitz explained the HM position is different from other positions; State Law says the Council appoints the HM. The Council would have the power to appoint and the inherent power to appoint an Interim HM for a short term. Mr. Cox did not have an exact date when the current HM would be leaving. Mr. Cox had a copy of the resume for Mr. Loomis who has more than 500 volunteer hours on the water under the tutelage of the former HM David Vannier. Mr. Loomis has a first aid certification, a boating safety certificate from DEM, is a qualified young man. Mr. Vannier noted Mr. Loomis met the basic qualifications for the HM position, could get a launch operator's license. President Roderick explained would have to be put on the agenda, next meeting is April 7th. Solicitor Teitz suggested putting on the agenda for April 7th for appointment of an Interim HM, accept the resignation at that time, concerned about liability issues. Mr. Vannier suggested accepting the resignation as of April 15th to allow for some overlap. President Roderick requested the appointment of an Interim HM be on the next agenda.

Councilor Gerlach made a motion, seconded by Councilor Arruda to accept the Resignation of Harbormaster Robert Terlisner effective April 15, 2014. Motion passed unanimously.

Recreation Committee - Kristen Plourde, 117 Merritt Ave- Three Year Term to Expire 4/15/2017

Mrs. Plourde has been a resident for a number of years, involved with Little League Softball, looking to contribute to the Commission. Solicitor Teitz noted, Mrs. Plourde may have to recuse on matters dealing with the Little League.

Councilor Gerlach made a motion, seconded by Councilor Chabot to appoint Kristen Plourde to a 3 year term to the Recreation Commission, to expire 4/15/2017. Motion passed unanimously.

Town Clerk noted some problems with attendance for a couple of the Recreation Commission members.

UNFINISHED BUSINESS:

FINANCIAL BUSINESS:

Town Administrator – Approval of Transfer DPW

From Acct#5500-6457 (Trash Removal) to Acct#5540-6648 (Repairs/Tires) for \$4,000

From Acct#5500-6457 (Trash Removal) to Acct#5540-7611(Gas/Diesel) for \$2,000

T/A Wojcik received a request from Director Berlucchi to transfer \$4K to Repairs/Tires and \$2K to Gas/Diesel, spending patterns resulting from this winter. Councilor Pelletier questioned deficit spending in this account. Director Berlucchi explained the account was underfunded, had to transfer \$8K to the Dozer account, has now come due, some funds available in trash removal. The deficit of \$520 was the working balance; the \$4K should last until the end of the fiscal year. T/A Wojcik planned to make sure there is a positive balance. Director

Berlucchi explained the extra trash funds came from a \$10,000 rebate on cardboard from the vendor that he determined was not in compliance and pursued to recover the revenue. Was not anticipated revenue.

Councilor Gerlach made a motion, seconded by Councilor deMedeiros to approve the Transfer for the DPW from Acct#5500-6457 (Trash Removal) to Acct#5540-6648 (Repairs/Tires) for \$4,000 and the Transfer from Acct#5500-6457 (Trash Removal) to Acct#5540-7611(Gas/Diesel) for \$2,000. Motion passed unanimously.

NEW BUSINESS:

Leroy Kendricks, WWMC Chairman – Requests Permission to Submit Project Priority List for SRF Funding in 2015

Leroy Kendricks, Wastewater Management Commission Chair and John Lincourt Wastewater Superintendent appeared before the Council on a request to submit the Project Priority List (PPL). The State has a program to loan money to communities for projects that may qualify. The Community Septic System Loan Program (CSSLP) helps people finance repair for failed septic systems. Another project is the Community Sewer Tie In program. The other 3 projects were listed in the Facilities Update Plan for sewers in the Robert Gray, Riverside Drive and Bay Street areas. Generally get the first 2 projects requested every year, may not use the last 3 requested, more like a place holder. The CSSLP is for any Tiverton resident who has a septic system or cesspool. Mr. Lincourt has been talking about this program for years, real estate agents also know about the program. The Sewer Tie In has a \$5 to 8K cap, should cover the contractor's cost, the Fall River tie in fee and a portion of the betterment fee.

Councilor Gerlach made a motion, seconded by Councilor Pelletier to allow Wastewater Management to submit the Project Priority List for SRF Funding in 2015 as described in G1. Motion passed unanimously.

Tax Assessor, David Robert – Request Town Council Consideration for Resolution Opposing S 2677 and H 7631 Related to Assessment of Taxes

David Robert, Tax Assessor explained, last year the Town Council passed a resolution that would have made new construction tax exempt, in essence shifting the burden from the developer to the taxpayer. That was ultimately vetoed by the Governor. This year similar bills have been introduced and include foreclosed property. Asking the Council to vote to pass a resolution to oppose these bills. Would have the potential to lose revenue depending on the growth factor, could range between \$30K to 100K.

Councilor Lambert made a motion, seconded by Councilor Gerlach to approve the Resolution opposing the current year House and Senate bills. Motion passed unanimously.

Adopted Resolution attached at end of minutes.

Francis DiGregorio, Common Cause RI – Request Council Consideration of Resolution for S2034 and H7593 to Allow Placing Before Voters a Constitutional Amendment to Include the RI General Assembly Under the Jurisdiction of the RI Ethics Commission

Due to another commitment Mr. DiGregorio was unable to attend, Council had been provided with all the backup material including the proposed resolution. Councilor Gerlach, in theory agreed should be equal domain for the Ethics Commission. Councilor Pelletier noted if the Council has to be subject then everyone should be. Councilor Chabot agreed, in the interest of fairness should apply to all of us. Councilor Chabot suggested a slight change, should add Ottiano to the list of Senators named and remove the Speaker's name. Town Clerk Mello will make the corrections to the Resolved section.

Councilor Gerlach made a motion, seconded by Councilor deMedeiros to pass the Resolution supporting the Referendum on Ethics Reform specifically items S2034 and H7593 as presented in G3 and to be amended by the Town Clerk. Motion passed unanimously.

Town Administrator – Authorization to Advertise

a.Code Enforcement Officer

T/A Wojcik looked to advertise as quickly as possible to fill this position, will have some extra duties including the need to digitize that office, be the Flood Plain Manager (FPM). T/A Wojcik explained the FPM would take a course administered by the RI EMA, did not mandate that in the duties, can get training at a later date. Councilor Gerlach, citing the qualifications listing strongly preferred for experience in residential and commercial construction, suggested changing that to required. President Roderick noted the Budget Committee changed the Building Official salary to \$63K, taking out the proposed part time clerk. T/A Wojcik planned to start low, would be competitive.

Councilor Pelletier made a motion, seconded by Councilor deMedeiros to authorize the Town Administrator to advertise for Code Enforcement position subject to the attached listing on the advertisement copy and the job description as submitted subject to the edit by adding required after commercial construction. Motion passed unanimously.

b.Harbor Master

T/A Wojcik explained, this position was filled fairly recently, has not rewritten the ad or job description. In a tough spot, have an Assistant HM at the present time. Want to advertise as quickly as possible, request the Personnel Board meet as close to the closing date as possible. President Roderick noted as discussed earlier need someone in place.

Councilor Gerlach made a motion, seconded by Councilor Chabot to authorize the Town Administrator to advertise for the position of Harbor Master. Motion passed unanimously.

c.Recreation Coordinator

T/A Wojcik explained had been held by a long time employee, should be treated the same as the HM to go before the Personnel Board, trying to reduce liability, require background checks. Councilor Pelletier noted there was no salary amount in the ad copy. The amount listed in the budget was \$8,550. Councilor Pelletier suggested the language should be the same as the HM. Councilor Gerlach recommended adding the additional language and inserting a figure. Councilor Pelletier noted the Town does not offer the opportunity for individuals to electronically submit materials. T/A Wojcik will add that to the ad copy. Town Clerk Mello noted the resumes would still be confidential, will put in an envelope.

Councilor Pelletier made a motion, seconded by Councilor Gerlach to authorize the Town Administrator to Advertise for the position of Recreation Coordinator subject to the attached ad copy, job description and any alterations just made. Motion passed unanimously.

d.Custodial/Maintenance

T/A Wojcik explained there are 3 individual laborer jobs in some capacity, seasonal part time, custodian and foreman. Need to fill the custodian quickly. Met with Labor Counsel and the Union to discuss several issues. Rewrote the job description, at one time the hours for this position were cut as a result some regular maintenance was not done. Added a commercial driver's license requirement which could require annual drug testing. Job description is an adaptation of the foreman's job, added work environment, wearing of safety equipment if protocol requires. Councilor Pelletier questioned what other Town buildings referenced in the ad copy. The custodian primarily took care of some of the Library, Community Center, Senior Center and the Town Hall. Councilor Chabot noted the Library was moving to a new location, they expected the same level of service. T/A Wojcik planned for the Foreman position to be redefined to include those responsibilities.

Councilor Gerlach made a motion, seconded by Councilor Pelletier to authorize the Town Administrator to Advertise for the position of Custodial/Maintenance. Motion passed unanimously.

Town Administrator – Fall River Casino – Discussion and Possible Action

T/A Wojcik received requests from 2 Councilors to put this on the agenda for discussion. Councilor Lambert had attended the public hearing in Fall River last Thursday. Could not ask any questions; spoke to a Foxwoods representative Mr. Hancock and to Ken Fiola, Fall River. Mr. Fiola said the Town of Tiverton would have a voice at the table. Mr. Hancock was well aware of the issues in Tiverton. There will be a referendum vote by Fall River in a couple of months, then has to be approved by the MA gaming commission. There is nothing to do at this point, wait for the vote from the referendum. President Roderick noted this to be very early in the process, thanked Councilor Lambert for attending the meeting.

BIDS AND REQUESTS FOR PROPOSALS:

Kate Michaud – Requests Approval to Select Cecil Group as Planning Consultant for the Comprehensive Community Plan Update

Kate Michaud, appearing for the Comprehensive Plan Advisory Committee explained an RFP went out in February, two responses were received. The recommendation is to hire the Cecil Group as Consultant for this project. Both were excellent, the difference has to do with budgetary constraints. The Cecil Group has a large part of the Town's data from working on the Challenge Grant Project and other projects. Familiar with holding public meetings in the Town. This will commence within 7 days of signing the contract. The budget for this is in this year's current budget, is a phased project, contingent on the budget for next fiscal year, tasks based on fees, purchase services you can afford based on the budget approval.

Councilor Pelletier made a motion, seconded by Councilor Gerlach to approve hiring the Cecil Group as the Planning Consultant for the Comprehensive Community Plan Update. Motion passed unanimously,

TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS:

1. Flood Insurance Program, President Obama recently signed repeal to significant parts of the law. Approximately 182 policies in Tiverton, at least half will see some relief. The Town is half way to qualifying for the Community Rating System.
2. Previously discussed vacancies on the Harbor Commission, members represent specific groups. Will research to determine the last two seats, difficult to get a quorum.
3. Wednesday, March 26 at 7pm, Rep Edwards will be conducting a meeting with RIPTA at Town Hall.
4. April 7-RI Kids Count breakfast in Warwick, cost \$60.
5. April 26- RI Historic Preservation Conference being held in Warren.
6. Lots of conversation on what the Town pays for electricity. Still need to do more research, have found the standard rate for National Grid, 8.564 cents/kwh. School Dept., gets electricity from Constellation for 7.79 cents/kwh. The Town gets electricity from REAP through the League of Cities and Towns at 6.67 cents/kwh.

COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Councilor Gerlach requested a status update on the DEM Storm Debris processing at the Town Dump. Chief Lloyd was still working on it, would like to discuss with Council. Councilor Gerlach requested an exact amount in the Recycling budget, like to know what the Town gets from Resource Recovery. Councilor Gerlach requested Mrs. Pelletier put on future agendas some of her ideas for discussion.

Councilor Lambert addressed an issue, had gotten many phone calls. Did not attend the recent BC meeting, was at the Fall River casino meeting, did watch on public access. Some comments made included litigation being dragged out for a period of 10-12 years. One of the BC members indicated Mrs. O'Dell's case should have been settled five years ago. Mrs. O'Dell sits on the BC. The Town Council is not dragging out litigation cases to bring up the litigation fee, if the Council can settle they do. Councilor Lambert's message to the BC was if they can identify any case let the Council know about the settlement process, the value of the cases.

Councilor Pelletier mentioned parades, good opportunity to speak with other delegations on a State level. Councilor Pelletier will be formally requesting advertising costs, what was required, now to reduce costs. Will

also request revenue accounts the Town invests in, the return, would like a better understanding. The Fee Schedule should be up for renewal. Like a better idea of bike lanes, understand the scope

Councilor Chabot reminded about the Recognition night by the Tiverton Lions Club on 3/28 at White's of Westport, honoring several people.

Councilor Roderick reiterated what was said earlier about litigation, fought to settle a lot of cases, some opposing parties do not want to settle. The Council does what is in the best interests of the Town. Councilor deMedeiros has attended every BC meeting, lots of absurd statements being made. Urge people to look at the facts.

Solicitors Teitz commented, not all of the cases are simple things. Litigation expenses deal with injunctive relief. The only case the Town initiated was the Sakonnet Bridge Tolls, all others the Town is the defendant. Councilor Pelletier noted not all litigation is legal fees, some for expert witnesses, studies or reports.

TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:

1. Memorandum Regarding Perpetual Care Fund for Burial Grounds

Solicitor Teitz explained the memo regarding Burial Grounds, Perpetual Care Fund., came from a question at a recent Council meeting. State Law requires 20% of the sale price be deposited in a perpetual care account. The Cemetery Commission is depositing 40% to that account. Councilor Chabot, liaison to the Commission noted a financial plan was on the to do list, will have expenses to put in a road; with this document can now move forward. Thanked Solicitor Teitz for the information.

2. Proposed Earth Removal/Quarry Licensing Ordinance Amendment Public Hearing on May 12th

Solicitor Teitz reviewed the recommendation from the Planning Board for Earth Removal and Quarry Licensing. At first glance is a great improvement over what the Town currently has. Could be advertised for May 12th. Based on the discussion earlier in the agenda, President Roderick was not sure, need to get the numbers right. Trish Hilton noted a similar situation in West Greenwich, it went to court, ended as a legal agreement, was very extensive. May be able to contact a hydro geologist from New Hampshire to see if willing to help. President Roderick was not sure about moving forward, requested the T/A work with Mr. Ramotowski and Ms. Hilton to get that information before advertising. Solicitor Teitz affirmed, not for any particular date yet. The Solicitor's law firm has represented West Greenwich for the last 20 years, did not want the same type of litigation here. Councilor Arruda requested getting more information on the licenses of current quarries in Town. Town Clerk will put that on the April 28th agenda. Chairman Ramotowski reiterated his previous concerns about groundwater and well water in relation to quarries. Councilor Chabot would like to review the Planning Board discussion, that vote was not unanimous. Solicitor Teitz had met with several of the quarry owners, working with them to bring them into compliance with the existing regulations. Trying to get them all licensed and see they have posted a bond.

3. Memorandum Updating Ursillo, Teitz and Ritch Legal Staff

Solicitor Teitz memo notified the Council updating the Firm's legal staff, Nancy Letendre will be leaving, Gina DiCenso will be doing more work for the Firm.

Councilor Chabot recused from Bourne Mill Tax Appeal, relatives live at complex.

4. Bourne Mill Tax Appeal

a.Complaint b.Answer c.OMA Complaint d.OMA Answer

Solicitor Teitz explained the Tax Assessment Board of Review denied an appeal by the Bourne Mill. A complaint was filed with Superior Court; K4B is the Town's answer. They then filed an Open Meeting Act complaint as seen in K4c. Solicitor Teitz handed out K4d, the Answer to the OMA complaint, filed today with the Attorney General. The response was substantive including exhibits showing open doorways, the AG's office received the color photos showing the open doorways. Complaint was by holding a meeting in the Tax Assessor's office the door might have been closed.

5. McLaughlin v Tiverton Zoning Board of Review

As previously requested, Solicitor Teitz had provided copies of the Motion and Order to Comply for the hearing on April 7th at Newport County Superior Court. It is on the court calendar for 9:30 am for those wishing to attend. The Town is asking for an Order of the Court that the offending structure be removed.

TOWN CLERK ITEMS AND ANNOUNCEMENTS

Financial Town Referendum Update

Town Clerk Mello provided an update on the Financial Town Referendum (FTR). The last day to register to vote is Sunday, April 20th; Clerk’s office will be open. Absentee ballot applications will be available April 1st and on the Town website. Will be advertising for the FTR early absentee voting which will take place on April 15-17. Call the Clerk’s office for more details.

The Council had reserved March 31st for a workshop with Planning Board, recently received notice from P/B not ready at this time so workshop will not be held. Sakonnet Bridge Tolls, Senator Felag suggested people call the Governor to support no tolls. The FTR Hearing will be on May 1st at the Tiverton Middle School at 7:00 pm, will be advertised. The final date for Council to submit resolutions on optional budgets is April 13.

CLOSED EXECUTIVE SESSION:

Solicitor – 42-46-5(a) (2) – Potential Litigation and 42-46-5(a) (4)-Investigation – Fire Department

Solicitor – 42-46-5(a) (2) – Litigation – Larry Faulkner v Tiverton

Councilor Lambert made a motion, seconded by Councilor Chabot to enter into Closed Executive Session pursuant to 42-46-5(a)(2) – Potential Litigation and 42-46-5(a) (4)-Investigation – Fire Department. Motion passed unanimously.

Councilor Lambert made a motion, seconded by Councilor Chabot to stay in Closed Executive Session pursuant to 42-46-5(a) (2) – Litigation – Larry Faulkner v Tiverton. Motion passed unanimously.

The Council entered into Executive Session at approximately 9:25 p.m.

The Council returned to Open Session at approximately 10:10 p.m.

OPEN SESSION:

In Open Session President Roderick announced action was taken in Executive session.

Councilor Arruda motioned to seal the minutes of Executive Session, seconded by Councilor deMedeiros, motion passed unanimously.

ADJOURNMENT:

Councilor Gerlach motioned to adjourn, seconded by Councilor Chabot passed unanimously.

Council adjourned at approximately 9:55 p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk

Town of Tiverton
Resolution of the Town Council
Opposing Senate Bill 2677 and House Bill 7631

WHEREAS: It is standard practice in Rhode Island and our neighboring states to assess partially completed structures on a percentage of completion basis as of December 31st of each date of assessment; and

WHEREAS: It has been estimated that exempting single family development homes and condominiums from taxation until such development property is sold, would result in a loss of property tax revenue statewide of over \$1.8 Million Dollars annually beginning in FY 2016; and

WHEREAS: Said lost revenue actually would be transferred to all other property taxpayers, thus subsidizing developers of new homes and condominiums; and

WHEREAS: This special exemption would result in conflicting tax treatment for other new or rehabilitated structures;

NOW, THEREFORE, BE IT RESOLVED: that the Town Council of the Town of Tiverton does hereby oppose Senate Bill 2677 and House Bill 7631 and calls upon the Governor to veto such legislation should it be passed by the General Assembly.

ADOPTED BY TIVERTON TOWN COUNCIL
March 24, 2014