

**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 8th day of June 2015 A.D. at 7:00 p.m.

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

<b>Roll Call:</b>	<b>Denise M. deMedeiros - President</b>	<b>Jay J. Lambert</b>	<b>Peter A. Mello</b>
	<b>Joan B. Chabot – Vice President</b>	<b>Brett N. Pelletier</b>	<b>David Perry</b>
	<b>Joseph R. Sousa</b>		

Town Administrator, Matthew Wojcik and Town Solicitor Stephanie Federico were also present.

**Executive Session**

**Town Administrator - 42-46-5(a) (5) – Disposition of Real Property - Industrial Park Proposal**

Councilor Lambert made a motion, seconded by Councilor Chabot to enter into Closed Executive Session pursuant to 42-46-5(a) (5) – Town Administrator Disposition of Real Property - Industrial Park Proposal. On a roll call vote passed unanimously.

Council entered into Closed Executive Session at approximately 7:05 p.m.

Council returned from Executive Session at approximately 7:45 p.m. President deMedeiros announced no action was taken in Closed Executive Session.

**Approval of Consent Agenda:**

All items listed with “(CA) “are to be considered routine by the Town Council and will ordinarily 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 and the Town Council President permits, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Council President deMedeiros read the items on the Consent Agenda. Councilor Pelletier requested removal of item CA7, Distribution of Documentation of Legal Authority on Fees for Police Department. Councilor Perry requested removal of item CA 3b, Letters In Support of Recreation Summer Day Camp Program (3).

Councilor Pelletier made a motion, seconded by Councilor Perry to Approve the rest of the Consent Agenda.

The Consent Agenda was as follows:

**CONSENT AGENDA**

**A-1-Approval of Minutes of Previous Meetings:**

- a. Approval of Regular Town Council Meeting Minutes May 26, 2015
- b. Approval of Executive Session Meeting Minutes May 26, 2015
- c. Approval of Town Council Special Meeting Minutes March 30, 2015

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

- |  |  |
|--|--|
| a. Open Space Commission                               | d. Library Board of Trustees           |
| b. Harbor and Coastal Waters Management Commission (2) | e. Recreation and Beach Commission (2) |
| c. Prevention Coalition                                | f. Arts Council                        |

**A-3-Correspondence – Receive and File:**

a. Foster Town Council Resolution In Support of H6040, H6041, H6042, H6043m S816, S818, and S820 Regarding State Guide Plan and Statewide Planning Program and Providing for Municipal Choice as to RHODEMAP RI

**A-4-Rescheduling of Public Hearing of June 8 on Amendment to Ordinance Chapter 30, Courts – Article II -Regarding Municipal Court Regulations to July 13 to Allow Proper Advertising**

**A-5-Town Administrator – May Monthly Department Report**

**A-6-Police and Fire Department Overtime Report for May**

**BUSINESS BROUGHT BEFORE THE COUNCIL**

**CA-3-Correspondence – Receive and File:**

**b. Letters In Support of Recreation Summer Day Camp Program (3)**

Councilor Perry thanked the 3 people who wrote in support of the Day Camp Program.

Councilor Perry made a motion, seconded by Councilor Chabot to approve the receipt of item CA3b, Letters In Support of Recreation Summer Day Camp Program (3). Motion passed unanimously.

**CA-7- T/A-Distribution of Documentation of Legal Authority on Fees for Police Department**

Councilor Pelletier questioned if this was a proposed change to the schedule. Administrator Wojcik explained this was to document where these fees come from will need a hearing on the VIN check fee, going back to \$10.

Councilor Pelletier made a motion, seconded by Councilor Perry to accept and receive item A7. Thanked T/A Wojcik for the information.

**B-PUBLIC HEARINGS & PUBLIC PRESENTATIONS:**

**ADVERTISED PUBLIC HEARINGS**

**1. Town Administrator – Amendments to Fees and Fines Resolution Recreation Fees – Continued from May 11, 2015 Recreation Program Fee for Summer Camp**

Administrator Wojcik explained the program has 14 kids; can use new library space on rainy days and the Senior Center bus. Trying to have a summer camp with weekly themes. Suggest \$100 fee for the summer with a sibling discount. Start with 3-5 hours per day to get the program going. The Tiverton Education department will make facilities available. President deMedeiros opened for comments from the public. Recreation Chair, Susan Gill, explained the Committee has budget constraints next year. Costs \$18,000 to open Grinnell's Beach, paying for instructors costs \$20k, budgeted \$24k. It is up to the Council to find money to fund the programs. Right now don't know if there is enough staff for a half day program. T/A Wojcik appreciated the concerns; Grinnell's will still be closed next year. Councilor Perry agreed with the Administrator, looking at \$4-5k, suggested looking at the Future Needs account. Councilor Pelletier suggested doing a little this year, should find a way. Councilor Sousa could not see why the Town can't just open the beach. President deMedeiros agreed, there is an interest. Dana Curt, Whitetail Lane, liked a half day program, suggested reaching out to parents to get the word out on social media. President deMedeiros called for public comment three times. Councilor Pelletier opined owe it to the 16 people who signed up, good starting point. Councilor Perry agreed fully supported this program.

Councilor Lambert made a motion, seconded by Councilor Perry to Authorize the Recreation Commission to charge \$100 for the Summer one half day park program as listed in agenda item B, and \$75.00 for the additional sibling. Motion passed on a vote of 6-1, Councilor Sousa opposed.

**C-TOWN COUNCIL SITTING AS BOARD OF LICENSING**

**NON ADVERTISED LICENSES**

**1.Alejandro Arteaga - Palagis 2000 Inc., 55 Bacon Street, Pawtucket – Requests Renewal of Peddler's License - Subject To Meeting All Legal Requirements**

There was no one in attendance for this license renewal.

Councilor Pelletier made a motion to Approve the Renewal of Peddler's License subject to meeting all legal requirements for Alejandro Arteaga - Palagis 2000 Inc., 55 Bacon Street, Pawtucket. Seconded by Councilor Chabot, Solicitor Federico suggested the restriction to include not permitted on the beach. Councilor Pelletier noted local laws prohibited them from being within 500 feet of the beach. Councilor Pelletier added subject to regular laws to the motion which then passed unanimously.

**2. Pet Partners and Forever Paws – Requests an F Liquor License (Beer & Wine Only) on July 26<sup>th</sup> From 4 to 8 p.m. to be Held at Sandywoods Center, 43 Muse Way**

Cheryl Caron, Volunteer Chair Event Organizer explained these were non-profit organizations. This is a fund raising event with wine tasting and an art show from 4-8pm. Contacted Chief Blakey will have a police officer on duty for the 4 hours. Will also have a TIPS certified pourer, document submitted with Council packet. Councilor Sousa questioned if it was required for the police to be there, Chief Blakey affirmed it is part of the Town ordinance.

Councilor Lambert made a motion, seconded by Councilor Chabot to Approve the request for F Liquor License (Beer & Wine Only) for Pet Partners and Forever Paws on July 26<sup>th</sup> from 4-8 pm to be held at Sandywoods Center, 43 Muse Way subject to meeting all legal requirements. Ms. Caron had also applied for an event license which will be issued by the Town Clerk, no Council approval needed. Motion passed unanimously.

**3.Hess Retail Operations LLC, 1308 Stafford Road – Request Approval of Name Change to Hess Retail Operations LLC dba Speedway #02826 – Subject to Meeting All Legal Requirements for:**

**a.Petroleum Storage License b.Victualling License c.Tobacco Dealer License d.Holiday License**  
Solicitor Federico explained this is just a technical change from Hess LLC, now doing business as Speedway.

Councilor Pelletier made a motion, seconded by Councilor Chabot to Approve the Name Change from Hess Retail Operations LLC, 1308 Stafford Road to Hess Retail Operations LLC dba Speedway #02826 subject to meeting all legal requirements for Petroleum Storage License ,Victualling License ,Tobacco Dealer License and Holiday License. Motion passed unanimously.

**Item taken out of order.**

Solicitor Federico suggested taking H1, the Award of Bid for the Food Vendor and award the bid first.

Councilor Pelletier made a motion, seconded by Councilor Chabot to take out of order item H1, Recreation Chair Susan Gill – Request Award RFP Bid for Food Vendor to Jason Peckham - Down to Earth, 200 Pond Bridge Road for Services at Fogland Beach for 2015 Summer as Recommended by Recreation Commission at the current place in the agenda. Motion passed unanimously.

**H-BIDS AND REQUESTS FOR PROPOSALS:**

**1.Recreation Chair Susan Gill – Request Award RFP Bid for Food Vendor to Jason Peckham - Down to Earth, 200 Pond Bridge Road for Services at Fogland Beach for 2015 Summer as Recommended by Recreation Commission**

Recreation Chair Susan Gill requested the RFP for Food Vendor at Fogland be awarded to Mr. Peckham. Suggested the Council consider adding Grinnell's Beach. Administrator Wojcik disagreed has asked Recreation not to do that just want to see how it works out. Grinnell's is not as isolated as Fogland, have 2 food trucks owned by Tiverton residents utilizing natural environment. Solicitor Federico drafted contract for food vendors with protective language. Mrs. Peckham thanked the Council for this opportunity, willing to work with the Town. DPW Director Berlucchi was concerned about trash disposal. Solicitor Federico had placed language in the contract in that regard. Mrs. Peckham will have lidded garbage and recycling cans taken away every night.

Councilor Pelletier made a motion, seconded by Councilor Chabot to Approve the Award of Bid for Food Vendor Services at Fogland Beach to Jason Peckham, Down to Earth, 200 Pond Bridge Road for summer 2015 season as recommended by the Recreation Commission subject to the contract. Motion passed unanimously.

**C-4. Jason Peckham, 220 Pond Bridge Road - Down to Earth Food Vendor - Request Approval of Peddler's and Hawker's Licenses – Subject to Meeting All Legal Requirements**

Councilor Pelletier made a motion, seconded by Councilor Chabot to Approve a Peddler's and Hawker's License at Fogland Beach for Jason Peckham, 220 Pond Bridge Road, Down to Earth Vendor subject to meeting all legal requirements including the contract for services. Motion passed unanimously.

**D-APPOINTMENTS & RESIGNATIONS:**

**1. Street Committee – 2 Year Term to 4/15/17**

**Michael Normandin, 31 Cynthia Avenue - Requesting Re-appointment**

Councilor Perry, following the last meeting vote suggested not appointing anyone to the Street Committee; don't have any funds to do anything with any of the streets. Councilor Chabot disagreed, part of the Committee's job is to do research, if put off may never be accomplished. Councilor Lambert had the same position as Councilor Perry at the last meeting. If the Street Committee continues to bring recommendations not really doing the taxpayers a service if the Council does not have the money. Councilor Peter Mello agreed with Councilor Chabot the Committee should continue to research. Councilor Chabot noted the Committee makes recommendations on services, not just for paving streets. Rosemary Eva, Committee member noted they have spent many hours on discussion and research, should not be disbanded. Councilor Lambert opined perhaps the Committee should continue but be aware the Council may not be able to repave streets.

Councilor Lambert made a motion, seconded by Councilor Sousa to Reappoint Michael Normandin to the Street Advisory Committee to a 2 year term expiring 4/15/2017. Motion passed unanimously.

**2. Open Space Commission – 3 Year Term to 4/15/18**

**Martin Van Hof, 170 Bulgarmarsh Road – Requesting Re-Appointment**

Mr. Van Hof has been on the Commission many years, is an expert on horticulture.

Councilor Lambert made a motion, seconded by Councilor Chabot to Reappoint Martin Van Hof to the Open Space Commission for a 3 year term to 4/15/18. Motion passed unanimously.

**E-UNFINISHED BUSINESS:**

**1. Christopher Araujo, 62 Russell Drive – Request to Amend Parking Ban on North Side of Russell Drive – Police Chief Recommendation**

Mr. Araujo requested amending the parking ban on the North side of Russell Drive, restricts use of the property. No parking signs on the South side have not been enforced. Police Chief Blakey explained is a problem on that hill, a blind curve. With cars parked on either side vehicles are forced to drive in the center of the roadway. Have observed the traffic on many occasions, looked at the property. Blind driveway signs have been placed at the crest of the hill. Chief Blakey recommended keeping the parking ban in place because of the sight lines. Mr. Araujo opined should be able to park on the lower side of his driveway that is flat ground. Suggested enforcing the 25mph speed limit as well. Mr. Araujo requested the last sign on pole 4 to be move from his property for no parking, just looking to get that sign removed. Councilor Pelletier opined if the crest of the hill is the problem should be no parking on either side. There was no motion to amend, the request was denied.

**2. Kate Michaud, Planning Board Administrative Officer – Memorandum Regarding Town Council Referrals for Council Action:**

**a. Outdoor Events and Accessory Events**

**b. Article X, Section 1.e Shared Parking**

**Planning Board Memorandum Dated May 14, 2015 – Advisory Opinion**

**Planning Board Chair Memorandum Dated May 20, 2015 – Request for Continuance**

**c. Environmental Review Statement Requirements in Watershed Protection Overlay Zone**

**d. Zoning Ordinance Article VII, Section 4 & 5 Regarding Authorization of Simultaneous Variance and Special Use Permit**

**e. Zoning Ordinance Article XV. Zoning Board of Review Section 5. Procedure for Special Use Permits and Variances**

Ms. Michaud explained several items were referred by the Council to the Planning Board (the Board). The Board was looking for more direction from the Council, typically the Board reviews draft language, not sure what the Council is looking for. President deMedeiros explained the Council wanted the Board to look at policy and procedure. Solicitor Federico assessed Ms. Michaud was doing a great job. The special use permit and dimensional variance by State law under ordinance; the two cannot be heard together. Ms. Michaud's research indicates the two have been heard many times over ten years. Solicitor Federico noted the Council may want to address the special use permit dimensional variance first to give the Board direction. President deMedeiros noted some events are going on without permits, others come in to get permits, are denied. Town Clerk Mello clarified, those permits are not being issued, have a chart on what the Clerk can issue, cannot give to commercial non-conforming. Solicitor Federico explained, not permitted under the ordinance, don't have an indoor event license for commercial purposes. Sandywoods is a non-profit, by ordinance they can have outdoor events. Ms. Michaud noted there is a request before the Zoning Board from the Meeting House. Solicitor Federico recommended the Council address the dimensional use permit first.

Councilor Peter Mello requested this go back to the Board for further explanation, would like to know the percentage for dimensional relief. Solicitor Federico clarified municipal wide or for a specific zone, need to draft an ordinance. The only exception is for cell phone towers because of the Federal Communications act. Ms. Michaud noted on page 2 of the referrals, the Board recommended language for the procedure for special use permits and variances, added language regarding watershed overlay districts. Assistant Solicitor Peter Skwirz opined an environmental review statement was required. Councilor P. Mello requested more specificity of dimensional use, would have specific relief for certain sections of Town, perhaps grant relief for a commercial district. Solicitor Federico explained, does not apply to commercial areas, would be additional language for legal non-conforming. Attorney Tim More addressed the Council stating the zoning ordinance in Village Commercial does permit weddings and outdoor events by special use permit. The discussion for many years has been whether the original building permit includes such uses. Have applied for a special use permit for Four Corners parking. The Zoning Board approved the special use permit and variance subject to an amendment of the zoning ordinance. Solicitor Federico recapped, the Council is looking for a draft ordinance to address this in its totality. Ms. Michaud summarized, the request for the Board is to review Zoning Ordinance Article VII, Sections 4&5 for simultaneous applications, percentage of dimensional relief and applications in all districts and to look at other regulations for examples.

Councilor P. Mello made that as a motion to refer this to the Planning Board. Councilor Pelletier seconded for discussion, suggested using what is called a Floor Area Ratio, instead of a percentage. Ms. Michaud opined the whole ordinance needs an overhaul, some conflict with others. Agreed the Floor Area Ratio was a good idea. Councilor Chabot requested the motion be read again, Councilor Sousa requested this come back to the Council in a timely manner. Councilor Pelletier requested the motion be amended with the set of a date for a hearing with limitation on the percentage of impact. Motion passed on a vote of 4-3, Councilors Sousa, Chabot and Pelletier opposed.

Councilor Pelletier noted the Council could not affect change on any of the other items. Attorney More disagreed; shared parking had no direct relation to the simultaneous variance and special use permit. President deMedeiros disagreed, deferred to the Solicitor. Solicitor Federico recommended dealing with the actual ordinance first as it sets a guidance. Ms. Michaud explained a letter was sent to the Zoning Board requesting them to verify the actual number of parking spaces. The ordinance defines a parking space to be 9x18 on an adequate surface. Grass is not an adequate surface. Councilor Pelletier noted the Council really needs to figure out what is/isn't allowed for a special event license. Ms. Michaud noted the environmental review statement looks at the septic system, water supply and run off. Trish Hilton, Conservation Commission, mentioned the

noise ordinance should be looked at when looking at special permit events. Town Clerk Mello explained everyone who comes in for a special event permit gets a copy of the noise ordinance, made quite clear.

**3. Town Administrator – Request to Appoint Special Counsel Regarding Appeal on the Planning Board Decision of 4/28/2015 Relating to Master Plan Application for Tiverton Crossings a/k/a Tiverton Glen as Submitted by Carpionato Group, LLC**

Town Administrator Wojcik distributed material in support of the request to appoint Attorney Bill Harsch, Jr. Looked for familiarity with Tiverton, Mr. Harsch was a former Town Solicitor, very active in planning and zoning, fee falls in line with the municipal rate. Had to consider rates, specialized use, conflicts and availability. Councilor Sousa questioned if the developer could pay the bill, Administrator Wojcik explained the Town is defending its own process.

Councilor Pelletier made a motion, seconded by Councilor Chabot to take the recommendation of the Town Administrator to Appoint as Special Counsel J. William Harsch, Jr for the Planning Board Decision of 4/28/15 relating to Master Plan Application for Tiverton Crossings a/k/a Tiverton Glen as Submitted by Carpionato Group, LLC. The motion passed on a vote of 5-2, Councilors Sousa and P. Mello opposed, Councilor P. Mello wanted to do more research on the individual.

**4. Councilor Pelletier – Update and Schedule on Licensing Procedure Policy and Checklist**

Councilor Pelletier submitted a rough outline for licensing policy and procedure. This would develop a framework; have requirements and deliverables from the applicant for the procedure for issuing licenses. Each license would have a set of standards and would reduce the need for call backs and continuances. Council would have all the recommendations first. Solicitor Federico agreed, has been working with the Clerk's office, instead of stating subject to meeting all legal requirements, it would be stated exemptions. Applications would have to be substantially complete when submitted. Town Clerk Mello noted the Town does not have control over items that come from the State, will work within the Town as best as possible. Town Clerk Mello will keep sending license information and State statues to Councilor Pelletier who is working on a generic form. Hope to have for the first meeting in July.

**Item moved up in the agenda.**

At this time Solicitor Federico requested Solicitor items K1a&b be taken at the same time as both relate to the Twin Rive proposed casino.

Councilor Pelletier made a motion, seconded by Councilor Perry to take items K1a& b at the same time. Motion passed unanimously.

**5. Councilor Pelletier – Discussion on Due Diligence for Twin River Worldwide Holdings, Inc. Proposed Casino**

**K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:**

**1. Information Regarding Twin River Worldwide Holdings, Inc. Proposed Casino**

**a.Letter from John E. Taylor, Jr. Chairman Twin River Management Group, Inc. Including Information Regarding Mail-in Survey**

**b.Solicitor Memorandum**

Solicitor Federico has been conversing with Counsel for Twin River, Mark Russo regarding meeting availability. It was discussed at the May meeting a survey was being conducted, the survey is now public. Recommended to the Council if the members want to attend the neighborhood meetings to be mindful of the Open Meetings act. Requested Council members contact the Solicitor prior to attending any of the neighborhood meetings. Can attend as members of the public, caution about having a quorum and about asking questions. Will have that opportunity in the future. President deMedeiros noted some Councilors went to the meetings regarding Carpionato not as participants but just to observe. Solicitor Federico did not want it to be seen as creating an

impact for the Council. Encouraged the public meetings to be advertised, working with the Town Clerk and Mr. Russo on setting up dates. Hoping to have one at the sight and perhaps one on the weekend. A host agreement has been mentioned, usually done for Federally recognized Native American tribes, there is no restriction for the Town not to have one. If the Council should decide to go forward, legislation should be submitted by late November or early December.

Councilor Lambert requested hearing from the Lincoln Town Administrator, the Chiefs of the Lincoln Police and Fire Departments to discuss traffic and crime. President deMedeiros noted that would be done at one of the public meetings. Solicitor Federico will bring more information to the Council by the end of September. Councilor Pelletier explained, part of the Council responsibility as an oversight body and policy making board was to do due diligence.

Councilor Perry made a motion; seconded by Councilor Pelletier to have the meeting go past 10:30, need to get a handle on these meetings. Motion passed on a vote of 6-1, Councilor Perry opposed.

### **F-FINANCIAL BUSINESS:**

#### **1. Chief Lloyd – Approval of Transfers**

##### **a. \$51,000 from Acct#3310-5101 (Firefighter Salary) to Acct#3310-5104 (Overtime)**

##### **b. \$9,000 from Acct#3310-5112 (Fire Prevention) to Acct#3310-5104 (Overtime)**

President deMedeiros noted the overtime has gone down quite a bit, everyone has helped, appreciate the effort. Chief Lloyd explained earlier in the year overtime rate was an issue. At this point have to move some funds, two fire fighters left in March, also four First Class Fire Fighters left, had to have probationary Fire Fighters, paid less money. Closed the Fire Marshal's office. Need \$60k to get to July 1 using these funds from other overtime accounts. T/ A Wojcik noted when the emergency measure went into effect the department was \$38k in the red, knew more funds would be needed to get through the fiscal year.

Councilor Perry made a motion, seconded by Councilor Pelletier to Approve the Transfer of \$51,000 from Acct#3310-5101 (Firefighter Salary) to Acct#3310-5104 (Overtime) and \$9,000 from Acct#3310-5112 (Fire Prevention) to Acct#3310-5104 (Overtime). Motion passed unanimously.

### **G-NEW BUSINESS:**

#### **1. Councilor Chabot – Discussion and Vote on Proposed Resolution Regarding Municipal Choice – State Plan Guide/RhodeMapRI**

Councilor Chabot submitted for Council consideration a resolution in support of legislation to opt out of RhodeMapRI as it relates to housing. Many other cities and towns have passed similar resolutions. Councilor Chabot opined this state guide eliminates the part of the Town in local zoning. There has been no subsequent review or legal implications, takes away communities ability to make their own choice. Rhode Island is the only state to sign this agreement with HUD. Councilor Chabot opined HUD 2995 separates the citizens from their own zoning code. Request Council pass this resolution to forward to local Representatives and Senators as well as other towns. Councilor Pelletier had not read the House and Senate bills, feels this is a planning document, a guiding tool. Not willing to support a resolution can't agree with.

Councilor Chabot made a motion, seconded by Councilor Sousa to Approve the Resolution Regarding Municipal Choice State Plan Guide/RhodeMapRI as identified in G1. The motion failed on a vote of 3-4, Councilors Perry, Lambert, deMedeiros and Pelletier opposed.

### **H-BIDS AND REQUESTS FOR PROPOSALS:**

#### **2.Chief Blakey – Request to Award Bid for Animal Shelter Services to Sakonnet Veterinary Hospital, 1320 Main Road for a Three Year Contract at \$25,732.50 for the First Year (11.75 Per Cage Per Day) – Second Year \$12.00 Per Day Per Cage and Third Year \$12.25 Per Cage Per Day**

Chief Blakey explained this was the only bid received, was advertised twice, the contract is for 6 cages per day each year.

Councilor Sousa made a motion to reject the Bid, should be revisited, didn't appropriate enough money, don't see the need. Chief Blakey disagreed, do fill the cages, have an obligation. Councilor Perry seconded for discussion. Councilor Sousa suggested restructuring the price; dogs should just be taken back to the owner. Councilor Lambert noted the owners do come and get their dogs. The animals in the cages are those not claimed. The motion failed on a vote of 1-6, Councilors Perry, P. Mello, Lambert, deMedeiros, Chabot and Pelletier opposed.

Councilor Perry made a motion, seconded by Councilor Pelletier to Award the Bid Animal Shelter Services to Sakonnet Veterinary Hospital, 1320 Main Road for a Three Year Contract at \$25,732.50 for the First Year (11.75 Per Cage Per Day) – Second Year \$12.00 Per Day Per Cage and Third Year \$12.25 Per Cage Per Day. Councilor Pelletier suggested a modification to the contract, in the third year I states \$12.25 per cage per year, should be per cage per day. Motion passed on a vote of 6-1, Councilor Sousa opposed.

**3. Marc R. Rousseau, Town Planner – Request to Award Bid Relating to Commercial Real Estate Appraisal Services for Tiverton Business Park to Peter M. Scotti and Associates, Providence, RI for \$15,000 Pending Grant for \$5,000 from Newport Chamber of Commerce and Transfer Request to be Determined**

Town Planner, Marc Rousseau explained only one bid was received for appraisal services for the Industrial Park. T/A Wojcik had numerous dealings with Mr. Scotti in the past in Woonsocket. A qualified firm; some funding will come from the Newport Chamber of Commerce, additional costs out of the bond proceeds due to the Industrial Park which must be used for the Park. Councilor Sousa opined this to be a big waste of money. Councilor Pelletier did not like getting just one bid, \$15k was too much money, should extend the RFP deadline another two weeks.

Councilor Pelletier made a motion to extend the RFP deadline, readvertise for another two weeks. Councilor P. Mello seconded, motion failed on a vote of 2-5, Councilors Sousa, Perry, Lambert, deMedeiros and Chabot opposed.

Councilor Sousa made a motion to reject the bid. There was no second to this motion.

Councilor Chabot made a motion, seconded by Councilor Perry to Award the Bid to Peter M. Scotti for Appraisal of the Tiverton Industrial Park as described in agenda item H3. Motion passed on a vote of 4-3, Councilors Sousa, P. Mello and Pelletier opposed.

**H-1-OPEN PUBLIC FORUM FOR ANNOUCEMENTS, COMMENTS, QUESTIONS:**

There were no sign ups for the open forum.

**I-TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS:**

**1. Recognition of Chief Lloyd as New England Regional EMA Director of the Year**

Administrator Wojcik noted the importance, recognized Chief Lloyd as New England Regional EMA Director of the Year. Congratulated him on this accomplishment, followed by a round of applause.

**2. Report on Wastewater Disposal Inspections for Fogland, Grinnell Beach and Senior Center**

Administrator Wojcik explained a small repair is needed at Grinnell's, the Senior Center system is a cesspool deemed substandard by DEM, will have to be replaced by 2017, working on a plan.

**3. Update on FY 2015 Budget Status**

T/A Wojcik noted 21 days left in this fiscal year, smaller percentage going to the General Fund. Just received news the tracks on the bull dozer broke down, not in the budget costs \$35k. Need funds before end of FY.

T/A Wojcik noted the New Library has a summer reading program that can be utilized.

**J-COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:**

President deMedeiros announced the ribbon cutting for the library is this Saturday at 10:00 am. Councilor Pelletier confirmed the delivery of the new trash and recycling containers for beaches and parks around 6/13. Councilor Perry, for the next agenda planned to withdraw all funds over \$500 remaining in accounts to be placed in a restricted paving account.

**K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:**

The Solicitor item was moved up in the agenda.

**L-TOWN CLERK ITEMS AND ANNOUNCEMENTS:**

Town Clerk Mello will be on vacation 6/17-6/24, will be in to get the Council packets for 6/22. Questioned if the Council still wanted a workshop on streets on 6/29. President deMedeiros noted the Council will be having a July 7 meeting on the Carpionato project, expect meetings on the casino, should hold off on the workshop for now. Town Clerk Mello opined will probably not happen until October.

**CLOSED EXECUTIVE SESSION:**

**1. Town Administrator–42-46-5(a) (2)–Litigation – Site Ready/LAL Construction, Inc. et al**

**2. Town Administrator – 42-46-5(a) (5) – Disposition of Real Property - Industrial Park Proposal**

Solicitor Federico received a memo today regarding Site Ready which the Council has not read, was not necessary to go into Executive session for Site Ready/LAL Construction.

Councilor Lambert made a motion, seconded by Councilor Chabot to enter into Closed Executive Session pursuant to 42-46-5(a) (5) – Disposition of Real Property - Industrial Park Proposal. Motion passed unanimously on a roll call vote.

The Council re- entered into Closed Executive Session at approximately 11:25 p.m.

The Council returned to Open Session at approximately 11:40 p.m.

**OPEN SESSION:**

In Open Session President deMedeiros announced no formal action was taken in Closed Executive Session.

Councilor Pelletier motioned to seal the minutes of the Closed Executive Session. Seconded by Councilor Perry, motion passed unanimously.

**ADJOURNMENT:**

Councilor Mello motioned to adjourn, seconded by Councilor Lambert, passed unanimously. Council adjourned at approximately 11:45 p.m.

A True Copy.

ATTEST: \_\_\_\_\_  
Nancy L. Mello, Town Clerk