

**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 9th day of March 2015 A.D. at 7:00 p.m.

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

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

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 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 A3a, Middletown Town Council Resolution Opposing House Bill H-5257. Councilor Peter Mello requested removal of items A5, John A. Pagliarini, Jr. Esq. – Request Staff Review of Article VII, Section 4 & 5 of Tiverton Zoning Code – Referred to Solicitor and item A8, Tiverton Conservation Commission – Proposed Code of Ordinances Amendment – Zoning – Article VII – Sign Regulations – Referred to Planning Board.

Councilor Lambert motioned, seconded by Councilor Perry to approve the rest of the items on the Consent Agenda. Motion passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings:

- a. Approval of Executive Session Special Meeting Minutes December 11, 2014
- b. Approval of Special Town Council Meeting Minutes January 24, 2015
- c. Approval of Regular Town Council Meeting Minutes February 9, 2015
- d. Approval of Special Town Council Meeting Minutes February 14, 2015
- e. Approval of Special Town Council Meeting Minutes February 17, 2015

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

- a. Zoning Board of Review (2)
- b. Conservation Commission
- c. Board of Canvassers (2)
- d. Historical Cemeteries Commission (4)
- e. Fogland Beach Oversight Committee
- f. Prevention Coalition

A-3-Correspondence – Receive and File:

- b. Discover Newport – February 2015 Meeting Minutes
- c. City of Newport – Invitation to Annual St. Patrick’s Day Parade Saturday, March 14, 2015

A-4-Approval of Tax Assessor Abatements

A-6-Town Administrator - Request by Matthew J. Ray, RI State Director of SmartPower for Permission to Hang A Solarize Tiverton Banner on Town Property For Two Weeks at the Seaside Gas Station on Main Road and Waive the Building Official’s Permit Fee

A-7-Recreation Commission – Authorization to Advertise for Summer Employment

A-9-Town Administrator – Police and Fire Department Overtime Report for February

A-10-Town Administrator – Distribution of February Monthly Department Reports

A-11-Kate Michaud – February Administrative Officer Report

BUSINESS BROUGHT BEFORE THE COUNCIL

(C.A.) 3a-Middletown Town Council Resolution Opposing House Bill H-5257

Councilor Pelletier suggested discussing this at the next meeting, should draft a similar resolution, relates to waters navigation. Would affect mooring fees in Town, fees would go to the State. Bruce Cox, H/C Chair explained this was not on the HC agenda, members have independently contacted Representative John Edwards, seems like a West Bay approach to funding the State, would usurp the Town's mooring fees.

Councilor Pelletier, in the form of a motion, planned to put on the next agenda, will rework the resolution, requested a copy of the House Bill for this as well. Councilor Chabot seconded the motion, passed unanimously.

Councilor Pelletier made a motion, seconded by Councilor Chabot to accept, receive and file the correspondence. Motion passed unanimously.

(C.A.) 5-John A. Pagliarini, Jr. Esq. – Request Staff Review of Article VII, Section 4 & 5 of Tiverton Zoning Code – Referred to Solicitor

Councilor Peter Mello suggested waiting to refer this to the new Solicitor whether it is Mr. Teitz or someone else. President deMedeiros clarified, this would be referred to the new zoning attorney.

Councilor Peter Mello made a motion, seconded by Councilor Sousa to refer to the new zoning attorney the request to review Article VII, Section 4 & 5 of Tiverton Zoning Code. Motion passed on a vote of 5-2, Councilors Lambert and Pelletier opposed.

Councilor Perry made a motion, seconded by Councilor Chabot to accept CA5. Motion passed unanimously.

(C.A.) 8-Tiverton Conservation Commission – Proposed Code of Ordinances Amendment – Zoning – Article VII – Sign Regulations – Referred to Planning Board

Councilor Peter Mello received a call from Trish Hilton regarding the Article number; it should be XII, not VII. Town Clerk Nancy Mello received the corrected copy prior to the meeting. Councilor Sousa noted on page 2, legal non-conforming signs, recalled Hess had to get a special use permit, find it odd.

Councilor Peter Mello made a motion, seconded by Councilor Chabot to accept CA8, the Proposed Code of Ordinances Amendment with the correction. Motion passed on a vote of 6-1, Councilor Sousa, protesting, was opposed.

PUBLIC HEARINGS & PUBLIC PRESENTATIONS:

PUBLIC PRESENTATION

1. Scott Humphrey - Presentation on Economic Development Committee

Scott Humphrey, Chair of the Economic Development Committee (EDC) updated the Council on the EDC Program of Work. A copy of the program will be posted online; goal is to facilitate business development in accordance with the Comprehensive Plan (Comp Plan). The goal includes developing strategies, identifying commercial assets, stabilizing the residential tax rate by an increased commercial base, promote the quality of life, identify State and Federal funding assistance programs and establish a communications strategy with Town boards. An EDC rep attends other board meetings to hear firsthand. Last spring the Council approved the EDC hosting an informal gathering. About 100 people came together talking about a business collaborative, they voiced concerns. That collaborative dissolved shortly after due to a lack of time as business owners are busy. The EDC discussed doing more slowly, identified areas of Town to form smaller groups, Bliss Four Corners, North Tiverton and Stafford Road. The EDC is here to help businesses in Town, identify potential economic development areas like the Business Park. Councilor Perry suggested getting together once every other month, meet for coffee, etc. President deMedeiros thanked Mr. Humphrey for all the work and time of the committee.

2. DPW Director Stephen Berlucchi – Public Input Hearing for RIPDES (Rhode Island Pollution Discharge Elimination System) Small MS4 2014 Annual Report Required by RIDEM

DPW Director Stephen Berlucchi and Matt Ladewig, Stormwater Consultant, ESS Group appeared before the Council for the Public Input Hearing, a yearly event, required by DEM, Federal EPA, reporting on illicit discharges. Some changes include the creation of a sewer district, the plan to clean catch basins. The Town has 1,500, basins and only half have been cleaned, the Basin Cleaner/Street Sweeper is old, has broken down, needs repair. The report is due to DEM tomorrow. President deMedeiros opened the input hearing to comments or questions. Councilor Pelletier questioned how many illicit discharges and complaints. Director Berlucchi explained, 5 areas in Town have been identified, are being monitored. President deMedeiros called for comment 3 times, hearing none closed the Public Input Hearing.

Councilor Pelletier made a motion, seconded by Councilor Chabot to accept and forward the RIPDES, Rhode Island Pollution Discharge Elimination System, Small MS-4 Annual Report 2014 as drafted. Motion passed unanimously.

ADVERTISED PUBLIC HEARINGS

3. Alcoholic Beverages – Town Code of Ordinances Chapter 6 – Proposed Amendments to Authorize and Regulate a New BYOB License to Serve Alcohol Brought in by Patrons Also Known as BYOB – Continued From February 23rd Meeting

Solicitor Teitz explained the changes discussed at the last meeting appear in red starting on page 4, Section 5-58 clarified the purpose of the establishment, the containers, preventing underage drinking and refusal for those drinking excess. On pages 6-7, provides for dual aspects for someone not having a victualling license like Sandywoods on a regular basis all year round versus just one time. Page 7 deals with Conditions for Issuance, added a section for fees and fines, advertising cost set by the Town, fines, limitations, revocations would be the same as State procedure. Councilor Peter Mello questioned what other towns have this ordinance. Solicitor Teitz explained Johnston has it already; Bristol is currently looking at one. Questioned liability and police patrols for larger crowds, Solicitor Teitz explained has been happening now; Council can make conditions as part of a motion when granting a license. Event licenses of less than 100 people are approved by the Town Clerk, over 100 the Council decide on a case by case basis. Liability is with the organization, this ordinance requires at least 1 person who has TIPS training. Council can set conditions for the number of people. Councilor Peter Mello was concerned with liability to the Town for drunk drivers. Solicitor Teitz explained can leave as is or ban alcohol totally. Councilor Peter Mello noted Four Corners has a bring your own picnic; Solicitor Teitz noted the Council could require even on private property no alcoholic beverages. Councilor Chabot questioned if this would apply to a wedding in a back yard for an entertainment license for 150 or 50 people. Solicitor Teitz explained if it's open to the public it's different, if having a BYOB wedding then they would not need a BYOB license. Councilor Chabot questioned if this would apply to someone having a clam boil fundraiser. Solicitor Teitz affirmed, yes if it was open to the public.

At this point President deMedeiros opened for public comments. Peter Moniz was concerned about the Town being protected. Suggest keeping an eye on recreation areas for adult events, was mentioned no need for a non-victualling establishment without entertainment like a fundraiser at a church, questioned catering. Councilor Pelletier noted there could be a scenario where there is exclusion. Mr. Moniz requested consideration of an amendment to the Section regarding conditions. Instead of applicant, should be licensee must provide proof of adequate measures for the number of individuals currently certified. This ordinance does not say anything about active and current, should say the licensee is responsible for the certified alcohol server, all violations of the intent of this ordinance must be immediately reported to the local law enforcement. Should be the responsibility of the licensee not applicant, concerned about third party lawsuit at these events. Councilor Pelletier believed the change to active and current reasonable, can't be a licensee without being an applicant first. Mr. Moniz concern was for an applicant like Sandywoods. Councilor Pelletier explained the applicant applying for the license is responsible. Mr. Moniz noted for Sandywoods the owner is Church Community Housing.

Solicitor Teitz explained part of the language of the ordinance deals with non-profits like a church or an organization with a board, what the Town proposes is better than nothing. The goal is to have someone held

responsible for the license ahead of time, can apply conditions at that time. If ongoing problem can have a show cause hearing. President deMedeiros noted when the applicant comes before the Council can set the number for certified alcohol trainers at that time, will get a recommendation from the Police Chief. Police Chief explained this BYOB was proposed to cover those restaurants that serve food but no alcohol. Social host laws currently on the books address most of the other issues raised. President deMedeiros explained originally it was for restaurants but now includes functions like those at Sandywoods that are having these events. Chief Blakey noted this ordinance gives the Council the ability to request a license. President deMedeiros called for public comment three more times, hearing none closed the public hearing.

Councilor Pelletier made a motion to craft language for sec 6-79, could be section 6-81, titled Conditions for Issuance, subsection (1), replace has completed a with the words holds a currently active and add the word certificate after the word program at the end of that line and the section numbers will be corrected. Councilor Perry seconded the motion, some discussion followed. Councilor Chabot commented, will be voting against, the ordinance was originally intended for bring your bottle situations for restaurants, overkill with public entertainment. Councilor Sousa agreed with Councilor Chabot. The motion passed on a vote of 4-3, Councilors Sousa, Mello and Chabot opposed.

Councilor Pelletier made a motion to approve the Ordinance Chapter 6 Amendments, to regulate alcohol brought in by patrons, BYOB license to serve Alcoholic Beverages, Chapter 6 as drafted and amended. Seconded by Councilor Perry motion passed on a vote of 4-3, Councilors Sousa, P. Mello and Chabot opposed.

Adopted Ordinance attached at end of minutes.

C-TOWN COUNCIL SITTING AS BOARD OF LICENSING:

There were no agenda items for the Board of Licensing.

D-APPOINTMENTS & RESIGNATIONS:

1. Town Representative to CRMC – Bruce Cox, Harbor Commission Chair

Bruce Cox, Chair of the Harbor Commission explained was appointed Town Representative, suggest a letter be sent to CRMC stating the standing representative is the Harbor Commission Chair. Solicitor Teitz looked up the statute, 46-23-26-20.1 (e), the city or town Council of each coastal community shall at the beginning of each term of office appoint a person to serve on the subcommittee.

Councilor Pelletier made a motion, seconded by Councilor Perry to appoint Bruce Cox to the position as Town Representative to CRMC and draft a letter to CRMC indicating such that the Harbor Commission Chair shall be the defacto member. Motion passed unanimously.

E-UNFINISHED BUSINESS:

There were no agenda items for this topic.

F-FINANCIAL BUSINESS:

1. Town Administrator–Request Transfer of Funds to Cover Snow Storms–List Attached Totaling \$71,968

Administrator Wojcik explained this was a partial coverage of money spent on snow, anticipating needing more. DPW Director Berlucchi explained some of the expenses based on the salt shed being empty, for hired equipment, rental of equipment. The original budget including overtime was \$200k, at this time it will be over by \$110k, anticipate another \$30k before it winds down. The part time seasonal maintenance worker was not hired, line painting was not done and Community Center was sold accounting for some of the transfers. Leaves about \$10k in the paving account for the rest of this FY taking \$72k out of the DPW budget. T/A Wojcik explained FEMA determines reimbursement for a qualifying experience. Director Berlucchi was still waiting for reimbursement for NEMO after 2 years. T/A Wojcik questioned the account numbers; Director Berlucchi explained the figures were relative to an employee out on unpaid leave.

Councilor Pelletier motioned to approve the Transfers as listed. Seconded by Councilor Perry some discussion followed. John Cordeiro suggested considering an exclusionary fund by putting in a little every year and if getting a refund to refund the other departments first. President deMedeiros noted the Council would take under consideration. Motion passed unanimously.

2. Councilor deMedeiros – Update on FY 2015/16 Budget

President deMedeiros noted the Council has a copy of the updated budget, Council last Tuesday voted to send it to the Budget Committee (BC). T/A Wojcik discussed, not all members were able to make the snowy Tuesday night meeting at the Senior Center, very few members of the public were in attendance. This is a bad year for claim experience, health insurance increased over 14%. Made several cuts to the budget, for the health insurance had to take a mandatory distribution out of the stabilization fund for \$92k this FY. Councilor Sousa questioned where the Town was regarding the library reimbursement from OLIS. T/A Wojcik explained, they were trying to get a certificate of occupancy as early as possible, will ask the legislators to shepherd the process. Recalled the Town Treasurer representing the Town had the cash, could get through this without causing a financial crisis. Councilor Perry questioned what was driving the incident rate. T/A Wojcik explained the Town was looking at a small pool of high claims, cannot narrow down. Councilor Perry recalled that \$70k was going to be taken out of last year's stabilization fund for the health plan. T/A Wojcik added that transaction has not yet occurred, will need to use the remaining \$123k next year.

G-NEW BUSINESS:

1. Recreation Commission – Request Amendment to Code of Ordinances Chapter 58 – Article II Peddlers and Hawkers– Schedule Public Hearing on April 13th

Solicitor Teitz explained a peddler moves about, a hawker has a location. In the current ordinance the Town did not allow peddlers or hawkers within 500 feet of a public beach or Town designated recreation area with exceptions. The Recreation Commission (RC) is looking to solicit RFP's for kayak rentals and lessons; second aspect is for possible food vendors. The ordinance as written now prohibits that. Proposed ordinance adds needing a recommendation of the RC and approval by the Town Council.

Councilor Pelletier made a motion, seconded by Councilor Chabot to schedule a Public Hearing for April 13, 2015 for Amendments to Peddlers and Hawkers Ordinance Chapter 58. Motion passed unanimously.

2. Town Administrator – Scheduling of Public Hearing on April 13th - Fee Resolution

Councilor Pelletier made a motion, seconded by Councilor Chabot to schedule a Public Hearing on April 13, 2015 for Fees and Fines on the Fee Resolution. Motion passed unanimously.

3. Councilor deMedeiros–Appointment/Hiring of Temp. Planning and Zoning (Land Use) Attorney

President deMedeiros explained Peter Ruggiero was no longer the Planning and Zoning Land Use attorney. The Council voted to have an RFP for all three attorneys, Council decided not to interview, Attorney Ruggiero, resigned on Wednesday morning. Attorney Teitz agreed to go to the Zoning Board meeting at the last minute. Now there is a Planning Board meeting tomorrow, Attorney Teitz offered to go if the Council agrees. This Saturday are the first round of interviews, hoping to have an attorney in the next two weeks, Planning Board meeting for Carpionato deadline is May 11. Councilor Sousa questioned the Solicitor if he could accurately represent the Town. Solicitor Teitz has reviewed the file, met with Steve Hughes and Kate Michaud, received materials, affirmed could represent the Town. If another attorney is going to be hired should be as soon as possible, if there is no Planning Board decision then is it approved by default.

Councilor Perry made a motion to cancel the Planning Board meeting tomorrow night. Councilor Peter Mello seconded and discussion followed.

Councilor Pelletier did not think the Council could cancel a Planning Board meeting. Solicitor Teitz suggested the motion should be to advise the Planning Board to postpone their meeting as they will be without legal representation.

Councilor Perry amended his motion to advise the Planning Board to postpone their meeting as they will be without legal representation. Seconded by Councilor Peter Mello discussion followed on this motion.

Councilor Pelletier questioned if the PB was asked for input or advice on postponing this meeting; had no problem with Solicitor Teitz attending, problem was in delaying the process any longer. President deMedeiros was concerned, bringing a new attorney who may not be as familiar with this, Solicitor Teitz has worked for the Town a long time, knows the history of the Town, delaying may be more than 2 weeks. Councilor Lambert agreed with the Council President, Solicitor Teitz was prepared to serve as temporary counsel, did not want to see any type of delay. Solicitor Teitz has a planning background, this is temporary, had full confidence could be handled. President deMedeiros explained Steve Hughes and Kate Michaud were consulted, did not come back to the President with any concerns; felt all the Council should make the decision. Councilor Perry was not concerned with Solicitor Teitz attending, was concerned if he didn't get appointed again, would still be starting with a new attorney. President deMedeiros suggested the Solicitor could fill in for the length of this matter. Councilor Lambert again expressed concern, could have three new attorneys, need someone who is familiar with the Town and the Planning Board. Councilor Peter Mello disagreed, a competent attorney could get on board, requested a vote. Councilor Sousa noted, have changed Solicitors before, was torn on a decision. Councilor Lambert noted this is the third Council to consider the Carpionato project, the Planning Board could have a complete turnover before the meeting on the final vote. Councilor Peter Mello reiterated, a new attorney would better serve the Town based on Solicitor Teitz actions at the last Zoning Board meeting. President deMedeiros explained Solicitor Teitz would just give advice for procedural purposes. Councilor Chabot agreed with Councilor Peter Mello, a competent attorney could get up to speed, like to see this continue with a new attorney. Did not share Councilor Lambert's confidence, saw many mistakes, cited the Tiverton Yacht Club spot zoning water front commercial, like to see a new attorney shepherd this to completion. President deMedeiros requested the Town Clerk repeat the motion.

Town Clerk Mello read the motion from Councilor Perry, seconded by Councilor Peter Mello to advise the Planning Board they will not have legal representation and request they postpone the meeting. The motion passed on a vote of 4-3, Councilors Lambert, deMedeiros and Pelletier opposed.

President deMedeiros noted the Planning Board will probably open the meeting and postpone, Chair of the Planning Board will have to decide.

H-BIDS AND REQUESTS FOR PROPOSALS:

There were no items for this topic.

H-1-OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS

Bruce Cox, Harbor Commission Chair discussed the deterioration of the Stone Bridge abutment. Mr. Cox had a letter which the Clerk had distributed. The Harbor Commission believes the Council should declare an emergency situation as the abutment is eroding. Request this be on the next agenda, keep moving this forward, right now have a foundation to work with. T/A Wojcik was aware of the situation, have already started the meetings, construction has not yet started. Still trying to move forward with the revised plan, appreciated the Harbor Commission attention to this matter. Barbara Pelletier reminded the Art Council reception, have new pictures on the walls all Tiverton related, will be from 2-4pm Sunday.

I-TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS:

Approval of FTR Resolution for Sale of Vacant Parcel of Land Known as Lot 306-136, 40 Bridgeport Rd

Administrator Wojcik explained approval is needed for sale of Town property, this is a small parcel, was the location of a one room school house. Approached by an interested buyer, would still have to follow an auction process, suggest be recorded as revenue and be set aside for landfill closure. It is 44/100ths of an acre; don't know how much the Town will get. Solicitor Teitz noted the Council could approve and amend to provide for the funds going to the Landfill Closure account.

Councilor Pelletier made a motion, seconded by Councilor Perry to Approve the FTR Resolution for Sale of a Vacant Parcel of Land Known as Lot 306-136, 40 Bridgeport Road with Proceeds designated for the Landfill Closure account. Motion passed unanimously.

T/A Wojcik drew attention to Solarize Tiverton especially for southern or western exposure, have a link on the Town website, goal is to have more than 86. It is important in order for National Grid not to build another substation. Bringing to the Council's attention that Wastewater Management needs to be cleaned up from the Charter, just raising this to the Council's attention.

J-COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

1. Councilor Lambert – Discussion and Possible Action to Amend Section 310 of the Town Charter to Include Provisions to Stabilize the Tax Rate and/or Tax Levy and Increase the Unreserved General Fund

Councilor Lambert requested the Town Clerk use discretion for these three items, suggested removing item J2, the discussion on Unaccepted Streets. Director Berlucchi is still working on the numbers. Councilor Lambert referred to an article in the Sakonnet Times asking for a vote with regards to the Tiverton Glen, that the Town have a referendum. The issue was raised with the previous Council; at that time the discussion was to not have a referendum, binding or non-binding. Handed out copies of a decision regarding L.A. Ray Realty v Cumberland Town Council. Looking to the language of the Supreme Court a strong argument could be made that it would not be valid, not legal. Solicitor Teitz gave an opinion a couple of years ago, at that time suggested not having a referendum, binding or not.

Councilor Lambert read the agenda request for public, discussion and possible action to amend Section 310 to include provisions to stabilize the tax rate and/or the tax levy, and increase the Unreserved General Fund (GF). Looking for a date for a public hearing; had prepared language attached to the agenda request. Should consider increasing the unreserved General Fund to 6% of the Town's current operating budget, the Town is essentially a \$39million dollar corporation. Added a provision for the amount above 3% can be used by a majority vote of the Council or Budget Committee to stabilize the tax levy and/or tax rate. Important to recognize our unreserved GF ratio is lower in comparison to other communities. Met with Treasurer Saurette, looking to the budget proposed the unreserved GF balance is \$2,478,930. According to Charter provision 310 the first 3% is used for emergencies. Currently slightly above \$1million which is probably not enough for a real emergency. Looking for Council consideration.

Councilor Lambert made a motion to schedule for a public hearing with input from the Town Administrator, Town Treasurer and Town Clerk. No need to rush, Town Clerk Mello noted it would probably have to be a special election, suggest leaving to the Clerk's discretion. The next regular election in 2016 has to be a general election, plenty of time for a public hearing. Councilor Perry seconded for discussion. T/ A Wojcik raised a point of discussion regarding capital items and expenditures, is a complicated issue. Councilor Lambert noted that would be a whole other discussion. Councilor Chabot noted the Administrator mentioned changing Wastewater Management in the Charter, not sure that should be done separately, would end up having several public hearings, suggested putting together a committee. Solicitor Teitz suggested that could be done if you elect a Charter Review Committee this year. President deMedeiros called for the motion on the floor, repeated by the Town Clerk the motion was to schedule a public hearing for the proposed amendment to the Unreserved General Fund, date to be determined at the discretion of the Town Clerk in June. The motion passed on a vote of 5-2, Councilors Sousa and Chabot opposed.

2. Councilor Lambert – Discussion and Possible Action on Proposal for Unaccepted Streets

As noted earlier Council Lambert suggested removing this item from discussion.

3. Councilor Lambert – Release of Certain Executive Session Minutes Relating to Business Development and Sale of Industrial Park Property During the Last Four (4) Years

Councilor Lambert's agenda item requested the release of certain Executive Session minutes over the last 2/4/6 years. Heard rumors and gossip that the Council did it's best to discourage manufacturing, commercial, etc. and keep out of Tiverton. Councilor Lambert called that nonsense; same has been said about the Industrial Park.

Proposed the minutes of Executive Session be carefully redacted over the last 4 years with respect to this subject. President deMedeiros noted this would take some time, Town Clerk Mello was handing the Financial Town Referendum, could do a couple at a time. Councilor Lambert noted that during the election someone knew, according to a letter in the Sakonnet Times, that the Council kept manufacturing out of Town. During Councilor Lambert's terms as a Councilor did not recall any manufacturer expressing interest whatsoever.

Councilor Lambert realized the timetable, just wanted to make these records public. Done as the form of a motion, seconded by Councilor Perry passed unanimously.

Town Clerk Mello will do a couple at a time.

Councilor Sousa recalled a recent discussion about storage, opined may be able to make more room downstairs. Would like to put together an ad hoc committee under the direction of the T/A, may be able to remove partition walls. Administrator Wojcik would do at the will of the Council, really a storage day to day operating problem; will deal with storage issues as they arise. Other issues including whether or not the Town will use Essex, trying to realize the grantor's wishes. T/A Wojcik opined the Town would have difficulty getting legal relief, is an historic building; have to be as close to the Grantor's wishes. Councilor Sousa, bottom line had a few ideas to eliminate one office upstairs to create more room downstairs. President deMedeiros opined, was not a job of the Council, up to the Administrator. T/A Wojcik appreciated the help but bound by public records retention. At some point is a practical matter, don't have a lot in the budget. Councilor Sousa recalled an item in the budget for offsite storage, is a need, offering to help.

Councilor Chabot asked the T/A for another resolution for the sale of Industrial Park, percentage specifically for infrastructure, questioned the timeframe for resolutions. Councilor Pelletier recalled the discussion from Tuesday's special meeting about the sale of municipal buildings. President deMedeiros noted those two resolutions would be needed for the next agenda.

Councilor Pelletier reminded the St. Patrick's Day parade will be this Saturday in Newport, cannot attend as there is a special Council meeting, encouraged everyone else.

K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:

L-TOWN CLERK ITEMS AND ANNOUNCEMENTS:

1.Approval of Resolution Requesting Legislators Approval of Charter Amendments Voted by Electors at General Election November 2014 – Date Change for FTR

Town Clerk Mello noted Councilor Chabot brought to her attention the Charter Amendments from November election need to be sent to the local legislators. Spoke to Representative Edwards, have done similar resolutions in the past.

Councilor Perry motioned, seconded by Councilor Chabot to Approve the Resolution Requesting Legislators Approval of Charter Amendments Voted by Electors at General Election November 2014 – Date Change for FTR to send to the State Representatives. Motion passed unanimously.

Town Clerk Mello announced Chief Blakey will be having a reception for promotions of different officers here at the Town Hall tomorrow night at 7:00 pm, light refreshments, other officers recognized. Oaths of Office will be administered. Town Clerk Mello reminded the Council of 2 upcoming special meetings, this Saturday for interviews for legal counsel at 9am, then on Monday night at 7pm, last one at 9pm. Consensus was for Saturday's meeting to start at 8:30 am and Monday's meeting to start at 6:45 pm. Town Clerk Mello questioned if a meeting, as previously discussed was going to be held on Wednesday March 18. Consensus was to have a meeting on March 18 to vote on legal counsel. Sally Black requested the Clerk put on the next agenda a joint Council and School Committee resolution regarding 40% school building reimbursement.

CLOSED EXECUTIVE SESSION:

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

2. Town Administrator – 42-46-5(a) (2) – Collective Bargaining – IBPO and IAFF

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.

Councilor Lambert motioned, seconded by Councilor Chabot to stay in Closed Executive Session pursuant to 42-46-5(a) (2) – Collective Bargaining – IBPO and IAFF. Motion passed unanimously.

The Council entered into Executive Session at approximately 9:45 p.m.

The Council returned to Open Session at approximately 10:50 p.m.

OPEN SESSION:

In Open Session President deMedeiros announced action was taken in Closed Executive Session on item #1 – Disposition of Real Property – Industrial Park Proposal.

A motion was made to authorize a letter of intent for several parcels in the Industrial Park. When and if a purchase and sale is executed will make it public.

No formal action was taken on item #2 – Collective Bargaining. IBPO was not discussed and there was no need for recusal of Councilor Pelletier.

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

ADJOURNMENT:

Councilor Pelletier motioned to adjourn, seconded by Councilor Mello, passed unanimously.

Council adjourned at approximately 10:55 p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk