

**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 12th day of September 2016 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 Anthony DeSisto 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.

President deMedeiros read the items on the Consent Agenda. Councilor Perry requested removal of item CA7, Draft Budget and Revenue Reports Ending June 30, 2016.

Councilor Perry made a motion to Approve the rest of the Consent Agenda. The motion seconded by Councilor Lambert passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings.

a. Approval of Regular Council Meeting Minutes of July 25, 2016

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

a. Conservation Commission (2)

b. Historic Preservation Advisory Board

A-3-Correspondence – Receive and File

a. Father John Higginbotham, Holy Trinity Episcopal Church – Regarding Casino and Economic and Environmental Impact Analyses

b. Prevention Coalition News Summer 2016

c. RIDEM – Notice of Public Hearing Regarding RIPDES Permit to Discharge into the Designated Waters of the State Relative to Stone Bridge Fire District Water Treatment Plant

A-4-Approval of Tax Assessor’s Abatements

A-5-Approval of Stop Sign at Industrial Road and Progress Way by Tiverton Power LLC and Recommendation from Chief Blakey

A-6-Town Administrator – Police and Fire Department Overtime Reports July-August 2016

A-8-Town Administrator – Distribution of Department Monthly Reports for August 2016

A-9-Town Administrator –July 1, 2016 Actuarial of Town of Tiverton Police Pension Plan – Referred to Police Pension Board

BUSINESS BROUGHT BEFORE THE COUNCIL

CA-7-Town Treasurer – Distribution of Draft Budget & Revenue Reports Ending June 30, 2016

Treasurer Denise Saurette explained these reports are from the fiscal year that just closed. According to the cover letter that came with the reports approximately \$205,000 remains in unexpended expenses and \$88k in excess revenue. The Treasurer did not have to use the \$36k General Fund withdrawal; this is unadjusted. The \$368 is there to balance the budget. Major revenue items included a transfer in from the Library Bond Premium, \$57k from FEMA for a prior year disbursement, unexpected out of district tuition and some from the Clerk's office. At the last meeting the Council voted to put all of the 25% received from the sale for Longplex back into the infrastructure.

Councilor Perry made a motion to Accept CA7, seconded by Councilor Chabot passed unanimously.

A-10- OPEN PUBLIC FORUM FOR ANNOUCEMENTS, COMMENTS, QUESTIONS

Sally Black announced the Tiverton Prevention Coalition received a Federal Drug Free Grant for \$125k per year for 5 years. The Coalition also received a 4 year Stop Grant, \$47 k per year, relative to underage drinking. Only 3 communities have received this grant. The first grant will help the entire community, thanked the Council for the support for the Tiverton Prevention Coalition. Renee Jones, Highland Road, questioned if the McInnis depositions were public; Solicitor DeSisto affirmed they were part of the public record. Ms. Jones questioned why the McInnis settlement was in Executive Session when it's already been discussed at the Zoning meeting noted a lot of parties were interested in the terms of the settlement. Solicitor DeSisto explained the Executive Session for tonight was for a non-substantive matter dealing with the case. Madeline O'Dell commended Solicitor DeSisto on the way he handled the recent Board of Canvassers regarding the Cottrell matter. James O'Dell echoed his wife's sentiments, had taped that meeting and will put on You Tube and Cox Communications tomorrow; glad it was in the final stage.

PUBLIC PRESENTATIONS:

Fire Chief Robert Lloyd – TWIAGE – Pilot Program Tiverton Fire Department In Conjunction with Steward Hospital - Pre Hospital Patient Care

Fire Chief Robert Lloyd, apologized, has two Rescues down the road; the phone is out with the personnel. Fire fighters are now using an App on their smart phones in conjunction with Steward Hospital. It is not costing the Town anything, will be using this for the next 6 months. They can speak directly to the ER; transmit video from the road to the doctor. The program is called TWIAGE; Chief Lloyd explained people still have the ability to choose what hospital to go to. President deMedeiros who is a nurse saw this and was very impressed. Chief Lloyd noted because of HIPA regulations the information is immediately taken out of the phone, hopes the program will be extended after the 6 months. Councilor Sousa questioned if there was a redundancy built in; Chief Lloyd explained the prior systems are still in place. Councilor Perry noted this was the tip of the iceberg; the newest technology will be the video cameras in the back of the transport.

At this time President deMedeiros called for item D to be moved forward.

Councilor Perry made a motion to move item D, Appointments & Resignations forward. The motion was seconded by Councilor Chabot and passed unanimously.

D-APPOINTMENTS & RESIGNATIONS:

1. Appointments

Planning Board – One Vacancy Unexpired Term to 7/15/17

New Request – John F. Long, 178 Highland Road

John Long, Highland Road appeared before the Council on the request to be appointed to the Planning Board. Mr. Long grew up in nearby Massachusetts, attended local RI Universities for a higher education degree. Mr. Long has a background in real estate and online learning, has always been interested in the public sector. Mr. Long believes economic development is huge and how planning plays a key role. Mr. Long reviewed town documents on the website, met with the Town Planner Marc Rousseau, and was familiar with zoning and the subdivision regulations, can be objective with a different perspective. President deMedeiros thanked Mr. Long, noted the appointment would be on the next Council agenda.

B-PUBLIC HEARINGS:

Advertised Public Hearings

1. Town Administrator – Public Hearing Continued from August 9th - Approval of Proposed Amendments to Fees and Fines Resolution Regarding Building Inspection Fees

Administrator Wojcik had prepared a chart for Tiverton versus Middletown for various permitting fees. Two parcels were compared, one commercial property on Main Road, the Shooting Range owned by Randy Lebeau. Mr. Lebeau has voiced complaints about numerous fees. The Municipal Building Permit fee was \$1,886 in Tiverton versus \$3,100 in Middletown. The total of the permits and fees were \$5,934 for Tiverton vs \$5,499 for Middletown. The difference was in the mechanical and electrical permit fees. The declared value on the Main Road parcel was \$204k for the building permit only while the declared value on the Pershing Avenue property was \$221,700. The Pershing Ave residential was for a new construction. The Municipal Building Permit fee was \$2,039 in Tiverton versus \$3,315 in Middletown. All the fees between the two towns were very competitive but Middletown adds a 5% admin fee calculated on all fees. The total for the residential construction permit fees in Tiverton was \$3,107 vs \$4,387. Tiverton has a separate impact fee, not included for this basis. The T/A suggested paying attention to the electrical and mechanical permit portion. Administrator Wojcik was not comfortable with the compensation for the electrical and mechanical inspector. They are paid directly and not part of the budget, paid as a percentage of the permit fee inspection. The Town has avoided making these people employees; however it is not a very transparent process.

Councilor Lambert discussed a letter to the editor he has written about the tax levy and revenue in comparison to neighboring towns; Middletown has a tax levy of \$11 million. Solicitor DeSisto explained you can't look at tax levy when looking at fees. Councilor Lambert wanted to make sure Tiverton was doing everything possible to remain competitive with both commercial and new construction permit fees. Councilor Sousa noted there are State mandated fees as well, suggested Mr. Lebeau also complain to State representatives. Building Official Neil Hall explained the 3% was essentially an ADA fee, money that goes to the State to pay for things like a wheelchair ramp. The 5% admin fee is a Middletown fee; Solicitor DeSisto could not recommend having that fee. Councilor Chabot note on the Portsmouth schedule they have 3% for commercial for labor and Middletown has more of a base fee and fixture fee. Mr. Hall recommended using the fixture fees; Tiverton is set up to use 4% of the project cost of fixtures. Mr. Hall has worked in a number of towns and finds that Tiverton compared to other same of the same size is representative. The State is working on other things to have continuity across the State. The International Building Code has a chart based on the cost of construction in a geographical area. Mr. Hall opined it would be harder to enforce a labor based fee than a fixtures based fee. Some things take hours to inspect, some are very basic; Mr. Hall had compared Mr. Lebeau's shooting range to the Rod and Gun Club. It was an 8 year difference but very similar in cost. Councilor Pelletier noted the cost of construction was two times more for commercial vs residential; suggested focusing more ways to make it attractive for commercial development. Councilor Pelletier did not want to over assess fees. Mr. Hall explained for projects over \$1 million dollars the contractor has the right to come to the Council for an adjustment on those fees. The T/A affirmed all three towns had an impact fee; Councilor Chabot noted that impact fee was only for the schools not infrastructure or other services. Councilor Pelletier suggested it would be helpful to have an income impact analysis of the actual costs. This analysis would have sewer, water, roadway thresholds.

President deMedeiros opened the public hearing for questions or comments. Chief Lloyd requested that estimated costs of projects across the board for all permitting fees be applied to all departments. President deMedeiros again called for comments or questions, hearing none closed the public hearing. Administrator Wojcik noted the next step to close this conversation would be to bring a concrete recommendation to the Council on September 26 and use the \$1million as a threshold for other communities. The T/A will also give a report on what communities use a basis for those fees. President deMedeiros called for a motion to continue the public hearing, Solicitor DeSisto noted the public hearing was closed; the motion should be to continue the matter.

Councilor Perry made a motion to continue the matter to September 26. The motion was seconded by Councilor Sousa and passed unanimously.

President deMedeiros called for a motion to move up New Business as there are people in the audience interested in these topics. Financial and Unfinished Business will be taken after New Business.

C-TOWN COUNCIL SITTING AS BOARD OF LICENSING **NON ADVERTISED LICENSES**

There were no items for this topic on the agenda.

Items moved up in the agenda.

Councilor Perry made a motion to move up New Business. The motion was seconded by Councilor Sousa and passed unanimously.

G-NEW BUSINESS:

1.Recreation Commission – Request Authorization to Hold 2nd Annual Halloween Trunk or Treat Event at Town Library Parking Lot, 34 Roosevelt Avenue on October 29 from 5:00 pm to 7:00 pm

Administrator Wojcik noted no one from Recreation Commission was here tonight, noted the success of the event last year, and was a great idea. President deMedeiros was concerned about the Library lobby not being open has contacted them and the lobby will be open in order to use the bathrooms.

Councilor Pelletier so moved the request for Authorization to Hold 2nd Annual Halloween Trunk or Treat Event at Town Library Parking Lot, 34 Roosevelt Avenue on October 29 from 5:00 pm to 7:00 pm. The motion was seconded by Councilor Chabot and passed unanimously.

2. President deMedeiros – License Restrictions for Flea Market – Update on Work and Possible Action

President deMedeiros received a request from the owner to put this on the agenda, noted there has been tremendous progress at the Flea Market. It is very close to coming to a close however the fire wall is a big issue, the roof and painting are done. The debris and the hazardous waste have been removed. There are some concerns on what needs to be done; lengthy discussion followed. Rachel McGarty, daughter of the owners, Ronald and Diane Falcon. Ms. McGarty explained the license was for outer use only, repairs are under way. A significant portion of the building has been repaired; the roof shingles are in place. The Flea Market represents 29 small businesses including a World War II Veteran, Matt, who has been using the parking lot all summer long. He is waiting on an indoor unit. Ms. McGarty explained they have been limited in the progress due to an incredible amount of delays in issuance of permits for this project. They have hired three architects and professionals and are working with the Building Code Board of Appeals. Ms. McGarty Over the last 6 months has been told could not get a permit for a particular reason. After that reason has been satisfied are told there is another reason. Going back to August 22 have sent a contractor here several different times to get a permit and failed for various reasons. Just looking for assistance from the Council to use that first part of the building and to move this forward. Looking to follow the rehab code,

contention is on classification of a particular wall as a fire wall. An email was submitted to the Solicitor as required by the Zoning Board of Appeals. In the absence of permits, not making the progress that needs to be made. Solicitor DeSisto clarified it's the Building Code Board of Appeals and it was continued; the recommendation of that board was to hire a RI architect and to submit plans with a stamp. The plans were submitted on the Tuesday prior to Labor Day; these plans were rejected, resubmitted with corrections and rejected again. For the fourth time in one week the architect came back to the Building Official's office, told the plans looked good but did not get a permit in hand. We were told to come in today to get the permit and told we could not get one. The Council President expressed concerns, questioned Mr. Hall about this issue. Mr. Hall showed the Council the last permit application, noted the first three plans were stamped typical fire wall. Mr. Hall does not accept drawings stamped typical; the last sets of plans were stamped 2012 IBC, International Building Code. That is not correct, now using the 2013 IBC; also questioned the business use. Mr. Hall questioned the architect if this was retail sales because there are different plans that are needed if under the rehab code as opposed to mercantile use.

The Council President explained she was trying to help get this done with some kind of guidance. Mr. Hall was not going to design the building for them. Mr. Hall explained height area and use are the first consideration when designing a building that goes to a chart and a book to see if that can be done with that design. Mr. Hall conducts a building plan review to see if it's viable for occupancy. It is up to the design professional to submit a plan with the height use, exit area and everything else that goes into the rehab code. Councilor Perry discussed the fire wall and possible demolition of 12-15 feet of the other building. Ms. McGarty had asked Mr. Hall what was required to get a permit; was told to get a demo permit and would not need architectural plans. The contractor came in to get a demo permit and was denied; need to keep a log of what's needed. There was some contention between Ms. McGarty and Mr. Hall regarding the fire wall. The T/A explained there has been some dispute on the substance of the matter; keep hearing the plan keeps changing. President deMedeiros did not intend for the discussion to go this way, want to find a solution. Solicitor DeSisto noted they did come before the Building Code Board of Review which made is made up of professionals. That Board thought this would be resolved, Solicitor DeSisto suggested referring this back to them to follow up and work with Mr. Hall and the builder. Ms. McGarty noted that has already been done. Mr. Hall explained they have the right to appeal his decisions about the plans. Mr. Hall did not give recommendations but addressed three issues on the plans; the architect said he would get back to him.

Councilor Pelletier noted the need to figure out a solution in an amicable arrangement, cannot re-litigate every conversation. Mr. Hall had reviewed the plans, found some discrepancies with the RI Building Code and addressed that with him. The architect agreed, would go back to the owners to find out what was feasible. This fire wall has a number of issues; with a rehab condition life safety issues are still intact. They tell me what code they are using; they received a checklist which clearly states everything required. Mr. Hall noted they are asking for a fire wall, if given a cut sheet will issue a permit for a fire wall. Mr. Falcon wanted something in writing as to what else was needed. President deMedeiros requested Mr. Hall meet with the architect again and requested the Solicitor keep track of this. Councilor Pelletier suggested getting a view of the project in its entirety as much detail as possible going forward. Ms. McGarty was looking for just one permit instead of getting permits in bits and pieces. Ms. McGarty questioned if the Council could authorize them to use the part of the building deemed safe. The T/A note the State Fire Marshall shut them down. The T/A explained this was a complicated project, the structure has a number of inter related systems and construction materials. Even if the architect has a section 128 waiver if the Building Official has serious concerns he speaks up. Solicitor DeSisto suggested the response to be in writing stating the differences and what needs to be done. Councilor Perry wants to get this resolved, volunteered to be the intermediary; was familiar with the issues. Councilor Perry did not agree with the Administrator, opined they did not need an entire plan. They only wanted to open one section of that building which the Council had agreed to at the time. Councilor Perry agreed the Building Official had to follow the rules but if he doesn't help them with what they need then that's a problem. President deMedeiros agreed it needs to be in writing. Ms. McGarty questioned if the Council agreed then could they use that part of the building. President deMedeiros explained the Fire Marshall

did not feel that was up to the code; Councilor Pelletier noted as part of the licensing the Building Official will make recommendations as all licenses are subject to meeting all legal requirements.

Councilor Lambert made a motion, seconded by Councilor deMedeiros to have Councilor Perry assigned as a mediator between the parties for the very issues discussed tonight. The motion passed on a vote of 5-2, Councilors Chabot and Pelletier opposed.

3. Councilor Chabot – Request Solicitor Provide Updated Litigation Summary Report

Councilor Chabot requested the Solicitor provide an updated litigation report, last one received was in January. Councilor Chabot considered this a housekeeping item, suggested this would be an item for the next Council as well. Solicitor DeSisto will have for the next meeting and will put in Executive Session. Councilor Perry suggested the new Council have one as well.

4. Councilor Chabot – Discuss Process for Possible Performance Evaluation of Town Solicitor

Councilor Chabot also considered this a housekeeping item, has not been done in the past. The Solicitor has been here since March 2015; Councilor Chabot considered the performance evaluation a communication tool to provide feedback what the Solicitor is doing well, not doing well and to improve the process of communication. Councilor Chabot considered this an important tool before the next Council comes in. Councilor Chabot will put together a performance evaluation form for the next Council meeting; something of a checklist form with numbers and a box for comments. Solicitor DeSisto agreed was a good idea and would like the feedback. Police Chief Thomas Blakey noted the Police Department was very happy with the prosecution side of the law firm; should include that in the evaluation as well. President deMedeiros suggested the Chief submit that in writing. Councilor Chabot will put a sample form together for distribution at the next meeting and have it on for the first meeting in October and suggested getting this to the Planning Board, Zoning Board and Treasurer as they also work with the Solicitor.

Councilor Perry made a motion to have Councilor Chabot make up an evaluation form for the Town Solicitor and present it at the next meeting and have the evaluation done by the first meeting in October. The motion was seconded by Councilor Chabot and passed unanimously.

5. Town Administrator – Approval of Proposed Paving List

Administrator Wojcik explained as result of FTR resolutions left over funds in DPW and other town accounts over \$500 are placed into the restricted paving account. For FY 2017 that amount is \$410, 059, like to schedule with the paving vendor to get projects done. The projects for the roads near the schools will not be done until June when school let out. The T/A had checked with the Fire Chief, Police Chief and DPW regarding the roads to create this prioritized list. The Administrator gave a brief explanation of the roads on the list. The number 1 priority was North Brayton from Bulgarmarsh to a hydrant north of Leger and south of S. Christopher. Number 2 is Quintal, heavily traveled to the Middle School, needs to be done on a Saturday and before winter for the top coat. Number 3 is Bolduc's Lane because the Council promised, private parties paid for the binder, Town's share if \$7,500. Number 4 on the list if Hancock Street from Perry Street (FR) to Watuppa Ave; will work with Fall River. Number 5 is King Road for the remaining one-third from Crandall to the last paved section. Number 6 is King Road to cold plane the area above the concrete culvert near Brayton Road. Number 7 is East King Road for the Tiverton portion only from Fall River back to Crandall, marked with a cone at present. Number 8 is Old Bulgarmarsh for a small portion used by school buses. Number 9 has three interconnected roads in the North end of Town-Primrose, Bramble and Park Place is just a terrible mess. Number 10 is Marylynn/Sunset as the roadway is completely disintegrated. Number 11 is William Barton Estates, the contractor is no longer with us, the binder coat has been down for nine years; should be cold planed. The T/A was looking for guidance or suggestions of other roads. Councilor Sousa believed Old Bulgarmarsh was a State Road, recalled there was a bridge on it. Rosemary Eva believed Councilor Sousa was correct, does need some more research. Councilor P. Mello questioned if Cynthia Avenue was surfaced. Administrator Wojcik explained the Council had entered into a maintenance plan, would

grade after the plowing season. This road should be discussed as part of the Capital plan for FY 2018. Councilor Lambert lives at the intersection of Marylynn and Sunset, questioned the Solicitor if he should recuse. Solicitor DeSisto affirmed he should recuse. Councilor Perry will also recuse for a different street. Councilor Chabot questioned if Fall River owned half of Hancock St. The T/A will work with Fall River, goal is to get all the catch basins connected to drainage properly. The T/A has checked with Wastewater and the Water districts to see what streets they would be working on. Hilton needs to be paved but Wastewater is planning on sewers there.

Councilor P. Mello questioned if Sunset was a private road. Councilor Lambert explained it was a paper, unaccepted, questionable, accepted paper road. The T/A explained it was a public way on an accepted plat in land evidence; technically would not be able to pave without explicit direction from the Council. Public ways of record on old maps continue to be public ways; the Council can authorize provisions for those public ways if they are not up to standard. The private road that is South Court and those residents want to pave at their own expense. The T/A will do further research for Sunset as requested by Councilor P. Mello. Councilor Chabot questioned what would happen if all the money was used and something came up. Councilor Chabot suggested doing just some of these and holding off on the others until spring. The Administrator noted holding back Brayton would be a good idea as that money, \$70k would be sitting there until July. Councilor Perry noted the T/A would know how much was left after each paving and will only be able to go so far with it. The T/A will do further research on those streets that were mentioned; looking for Council affirmation to do these roads in this order if the numbers work out and the legal status is appropriate.

Councilor Pelletier made a motion to do these roads on this list, numbers 1 through 8 and number 11 in this order if the numbers work out and the legal status is appropriate. The motion was seconded by Councilor Chabot and passed unanimously.

Councilor Pelletier made a motion to do this road on this list, number 9 if the numbers work out and the legal status is appropriate. The motion was seconded by Councilor Chabot and passed on a vote of 6-0-1, Councilor Perry recused, lives on Bramble Way.

Councilor Pelletier made a motion to do this road on this list, number 10 if the numbers work out and the legal status is appropriate. The motion was seconded by Councilor Chabot and passed on a vote of 6-0-1, Councilor Lambert recused, lives on Sunset View Drive.

Sally Black, School Committee Chair, noted the parking lot at the Middle School is going to be done under the reimbursement program.

E-UNFINISHED BUSINESS:

1. Town Solicitor – Memorandum Regarding Functions of Zoning Board and Planning Board

There were no questions from the Council regarding this memorandum. Councilor Chabot thanked the Solicitor, noted this would be a good document for the next Council.

F-FINANCIAL BUSINESS:

1. Town Administrator – Request Approval of Transfers Totaling \$11, 291.70 for Payment to RI Interlocal Trust for Deductibles from Prior Years (2013-2016) & 2016 Vehicle Audit Adj

a.From Acc#2250-5365 (Social Security) to Acc#2190-7920 (Town Bldgs/Pers Prop) for \$11, 279.99

b.From Acc#2190-5268 (Group Insurance) to Acc#2190-7920 (Town Bldgs/Pers Prop) for \$11.71

Administrator Wojcik explained the Trust was cleaning up its books and discovered was charging the Town deductibles for vehicle damage; all in past years. The Treasurer requested this be scored against last year's budget as it is legal and can be used toward trash collection.

Councilor Pelletier made a motion for the Approval of Transfers Totaling \$11, 291.70 for Payment to RI Interlocal Trust for Deductibles from Prior Years (2013-2016) & 2016 Vehicle Audit Adj. The motion was seconded by Councilor Chabot and passed unanimously.

Councilor Perry made a motion to Approve the Transfer from Acc#2250-5365 (Social Security) to Acc#2190-7920 (Town Bldgs/Pers Prop) for \$11, 279.99. The motion, seconded by Councilor Sousa passed unanimously.

Councilor Perry made a motion to Approve the Transfer from Acc#2190-5268 (Group Insurance) to Acc#2190-7920 (Town Bldgs/Pers Prop) for \$11.71. The motion, seconded by Councilor Sousa passed unanimously.

H-BIDS AND REQUESTS FOR PROPOSALS:

1.Chief Blakey – Request Award of Bid for Two (2) Vehicles to Central Auto Team of Raynham, MA for (2) 2016 Dodge AWD Police Package Dodge Chargers for \$25,453 each including \$1,930 each for the Extended Warranty for 5 Years. Total Expenditure for Cruisers and Extended Warranties is \$54,766.

Chief Blakey explained this was the only bid received, tried to get 2016 leftovers, saved \$1,200; still front line vehicles. Councilor Sousa read the options list, asked about chrome exhaust tips. Chief Blakey explained those have been discontinued. This falls within the \$60k in the budget, costs between \$700-800 to letter each vehicle. The extended warranty has been used in the past, catalytic converters cost \$1,300 and transmissions \$3 to 4k. It takes about three years to get to the 75k miles.

Councilor Perry made a motion to Approve the request from Chief Blakey for a total of \$54,766. The motion, seconded by Councilor P. Mello passed unanimously.

2. Chief Blakey – Request Award of Bid for Police Headquarters Security Camera System for \$18,387.36 to Dane Tech, Inc. of Johnston, RI

Chief Blakey had put in \$20k in the budget for this; need to get an upgraded system.

Councilor Perry made a motion to Authorize Chief Blakey to Award the Bid for Police Headquarters Security Camera System for \$18,387.36 to Dane Tech, Inc. of Johnston, RI. Councilor Chabot seconded the motion; Councilor Sousa questioned if this was a looping tape. Chief Blakey explained this was an upgrade, using more current technology. The motion passed unanimously.

3. Town Administrator – Request Award of Bids

a.Crandall Road Station #3 Roof to Done Right Home Improvement/Design, Tiverton, RI for \$9,350

Administrator Wojcik explained both of these were approved under Capital at the FTR. The red gable roof section that faces Crandall Road needs to be repaired before the back wall can be repaired. Mr. O'Dell can get started in two weeks with permitting. Councilor Lambert questioned the Solicitor on whether to recuse as Mr. O'Dell does some work for him on occasion. Solicitor DeSisto affirmed Councilor Lambert should recuse himself.

Councilor Perry made a motion to Award the Bid for Crandall Road Station #3 Roof to Done Right Home Improvement/Design, Tiverton, RI for \$9,350. Councilor Chabot seconded the motion, Councilor Sousa also

recused Mr. O'Dell does some work for him on occasion. The motion passed on a vote of 5-0-2, Councilors Lambert and Sousa recused.

b. Town Hall Roof to S & S Construction of Seekonk, MA for \$44,800 with Authorization to Proceed to \$63,350 Option Addressing Additional Flat Roof Areas

Administrator Wojcik explained in the budget this was a \$67k item, received only one bid. The T/A asked the contractor to go up on the roof because of the specs. The contractor explained the process, in order to do correctly need to strip the valleys. The T/A wanted the authorization to proceed to the \$63, 350 amount; this will not do the whole roof but up the slope from the valleys. Once the leaks in this building are resolved, hope to replace the ceiling and the lights.

Councilor Perry made a motion to Award the Bid for Town Hall Roof to S&S Construction of Seekonk, MA for \$63,350. The motion was seconded by Councilor Sousa and passed unanimously.

I-TOWN ADMINISTRATOR ANNOUNCEMENTS:

There were no Administrator announcements.

J-COUNCIL ANNOUNCEMENTS

Councilor Pelletier noted Pardon Gray Day was this Saturday, September 17 and will be manning the hot dog station; several Councilors planned to be in attendance. Councilor Chabot plans an upcoming agenda request for the Solicitor to provide an update to an item from July, Evelyn Wheeler on a draft ordinance for historical cemeteries. Councilor Pelletier noted he did not need his packet printed anymore, should just have the one backup. Councilor Pelletier noted the land use and subdivision regulations were hard to get to on the Town website. It is not searchable, looking to make it easy access to those documents. Councilor P. Mello planned to put an item on the next agenda about the parcels being cleared at the Industrial Park. Councilor Perry noted the Clerk was still looking for the oldest residents, so far only have two. Councilor Sousa went through this meeting completely paperless.

K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:

Solicitor DeSisto noted that Council announcements are not for substantive matters.

L-TOWN CLERK ITEMS AND ANNOUNCEMENTS:

The Town Clerk was in her office prepping for tomorrow's primary; there were no announcements.

CLOSED EXECUTIVE SESSION:

1. Town Solicitor – 42-46-5(a) (2) – Potential Litigation – Special Counsel – McInnis

2. Town Solicitor – 42-46-5(a) (2) – Litigation – Workman's Comp Case #16-00604 Moore vs Tiverton Police Department

3. Town Administrator – 42-46-5(a) (1) – Personnel - Distribution of Performance Evaluation Chief Thomas Blakey

4. Town Solicitor – 42-46-5(a) (1) – Personnel – Employee Has Been Notified

Councilor Lambert made a motion to enter Closed Executive Session pursuant to 42-46-5(a) (2) re: Potential Litigation- Special Counsel- McInnis. The motion was seconded by Councilor Chabot and passed on a roll call vote of 5-2, Councilor P. Mello and Councilor deMedeiros opposed.

Councilor Lambert made a motion to stay in Closed Executive Session pursuant to 42-46-5(a) (2) re: Litigation – Workman's Comp Case #16-00604 Moore vs Tiverton Police Department. The motion was seconded by Councilor Chabot and passed unanimously on a roll call vote.

Councilor Lambert made a motion to stay in Closed Executive Session pursuant to 42-46-5(a) (1) re: Personnel - Distribution of Performance Evaluation Chief Thomas Blakey. The motion was seconded by Councilor Chabot and passed unanimously on a roll call vote.

Councilor Lambert made a motion to stay in Closed Executive Session pursuant to 42-46-5(a) (1) re: Personnel – Employee Has Been Notified. The motion was seconded by Councilor Chabot and passed 6-0-1 on a roll call vote, Councilor Pelletier recused.

The Council entered into Executive Session at approximately 10:20 p.m.

The Council returned to Open Session at approximately 11:25 p.m.

OPEN SESSION:

Councilor Perry motioned to seal the minutes of executive session. Seconded by Councilor Sousa motion passed unanimously. Councilor Pelletier informed his vote to seal is for all but the TPD items #4 and #2. He had recused himself for those two items and left the room.

Council President deMedeiros announced items #1 and #2 had no action. Item #3 was for distribution only.

Item #4 - Councilor Perry motioned to direct the Town Solicitor to act in accordance with the direction given in Executive session. Seconded by Councilor Chabot, motion 6-0-1. Councilor Pelletier abstained had recused from item discussion and left room.

ADJOURNMENT:

Councilor Pelletier motioned to adjourn, seconded by Councilor Sousa. The motion passed unanimously.

The meeting adjourned at 11:25 p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk