

**Tiverton Street Advisory Committee
Minutes of Meeting
February 19, 2014**

Michael Normandin called the Tiverton Street Advisory Committee meeting to order at 7:10pm on February 19, 2014 at the Tiverton Town Hall.

1. ROLL CALL

Mr. Normandin introduced the members to the audience which included: Rosemary Eva, James O'Dell, Audrey Gloddy, Richard Hart. Richard Hart was absent.

Mr. Normandin also introduced DPW director Stephen Berlucchi. Councilor Joan Chabot and Town Clerk Nancy Mello, ex-officio members, were also seated in the audience.

2. COMMITTEE BUSINESS

a. Lawrence Court

Mr. O'Dell explained to residents, that the street committee had just restarted and was in the process of doing research on Lawrence Court.

Kevin Noyes, resident of 144 Lawrence Court and President of Lawrence Sunset Cove Home Owners Association stated that the Association is in place to handle the Public Water supply which is regulated by the State's Health Department Mr. Noyes questioned how many Town services they will lose, if any, if the road is not accepted.

Mr. Noyes stated that he has been a resident of Lawrence Court for over 50 years. He believes in the 1960's the beginning 1200-1250 feet of Lawrence Court was Town accepted, after that point was private, there used to be a chain blocking off at the end of accepted portion. The chain was put up because the public used to come down and use the private boat ramp at Delano's Island.

Ms. Eva asked if there was a water tank still on the premises. Mr. Noyes replied that the State had made them remove it several years ago.

Mr. Berlucchi stated there is a public well at the top for most of the properties and a separate one for Delano's Island. He also stated that the beginning part of road is an accepted town road, bottom portion is gravel. The Town grades the gravel portion twice a year, fills pot holes. Mr. Berlucchi said that the DPW plows it so they have the ability to turn around and that makes them maintain it, past practice.

Mr. Berlucchi stated that the road would have to be brought up to Town standards for it to be accepted. He said Town standards say one thing, past practices say another.

Mr. Noyes stated he believes the road is at least 24' wide. Mr. O'Dell stated very few roads are to the 40' wide standards. Ms. Eva stated most current roads are 26' wide with a 14' easement to maintain the 40' requirement.

Mr. Noyes voiced his concern about trash pickup and plowing.

Mr. Berlucchi stated that a lot of roads are not accepted, but all roads get trash pickup per declaration of the Town Council. Trash is always picked up, the issue becomes getting down the streets. Ms. Eva stated trash is an issue as far as cost goes even when developers had stated that they would be responsible for their own pick-up the Town Council had changed it (Country View Estates, Starwoods, etc.).

Mr. Noyes questioned if the road is accepted and paved, what happens if they have a leak, would they need permission from the Town to dig it up. Mr. O'Dell stated that evidence would have to be there to back up acceptance. If accepted, plans and details would have to be worked out with Town Council.

Ms. Eva questioned if there are two public wells. Mr. Noyes stated there are two public wells one follows less rules, both have to be tested. The wells service 20 families. Ms. Eva asked how often the wells are tested. Mr. Noyes replied it depends on how the previous test came back. He stated that the water management system company they use for testing is Dorothy Water Solutions Inc.

Mr. Berlucchi asked the residents if they worry about DPW salting, etc. Mr. Noyes said no there is no issue, they are installing a filter in pump house.

Ms. Eva asked where the location of the pump house was. Mr. Normandin asked Mr. Noyes to come up and point out where the pump house was on the map. Mr. Noyes said the pump house looks like a wood shed.

Ms. Eva looking at the plan in front of the chairman stated that it looked like 1580ft of road is accepted, and was on the unaccepted portion. Mr. Noyes said the circle part seems like 1/3 of a mile. Mr. Berlucchi said he would go out and measure it.

Ms. Eva told the residents the committee was gathering information at this point and that their information was very helpful.

Mrs. Gloddy asked Mr. Noyes how long the Town had been maintaining the road. Mr. Noyes said to his knowledge the first portion that is paved had been being maintained since the middle 1960's and the circle since the late 1960's.

Mr. Berlucchi asked the residents what they would like to see happen. Mr. Noyes said they would like to see it stay the way it is. They would like to see the hill repaved and the bottom portion stay the same. He said at one point in the late 1980's or early 1990's someone had put in some speed bumps to prevent speeding but the police made them remove them.

Mr. O'Dell asked the residents if they all agreed with Mr. Noyes, that they would like to see it remain the way it is. The residents were all in favor of keeping it the way it is.

The Lawrence Court residents asked if they will receive notification of meetings. The committee advised they will.

The committee advised the residents that it is the Town Council that makes the final decision.

Nancy Mello said we already know that first portion is accepted and asked Mr. Berlucchi if he planned on changing any of their services. Mr. Berlucchi said no.

Ms. Gloddy made a motion to continue the Lawrence Court item to the next agenda. Mr. O'Dell seconded the motion.

Ms. Eva asked for discussion before the vote since she had questions about Delano's Island. Mr. Berlucchi said Delano's Island is private, the Town does nothing there, but the Town does go on the other portion (Lawrence Court) that is private. Mr. Berlucchi said it is best for his trucks to go around the circle so this is one of the private streets that he supports taking care of.

Mrs. Mello said this is an exception, it is a safety issue, the Town cannot back out of the street.

Ms. Eva questioned if by going on private property does the Town need some sort of easement with the property owners. Mr. Berlucchi said by Charter he needs permission to go on private property. He said he goes by the plow lists, he assumes that it was approved by other Councils and lives by those lists. Mr. Berlucchi said he needs Town Council permission to go on private property or he is knowingly violating the Town Charter.

Mr. Noyes said the Association would be willing to sign something to not hold the Town liable for any damages, etc.

The motion to continue Lawrence Court to next meeting was then voted on. The motion carried unanimously with Ms. Eva, Ms. Gloddy, Mr. Normandin and Mr. O'Dell voting in favor of the motion.

b. Discussion:

Mr. Berlucchi said nothing has changed since he got here, things only change when it goes to the Town Council.

Mr. Berlucchi stated that the Town Council's vote can supersede the Town Charter, then they direct the Town Administrator who can instruct him. He cannot supersede the Council or the Town Charter. He said he has a list of 30 streets that the Town Council had instructed providing no services except rubbish pickup.

Ms. Gloddy said that Mr. Berlucchi had told the committee that we needed to decide if the streets were public, private or unaccepted and if unaccepted, services would be recommended to stop.

Mr. Berlucchi said no he would support doing Sawdy Pond Avenue and he would support doing this one (Lawrence Court), he would not support Cynthia Avenue and the other ones that are unfinished subdivisions that are still good roads. He feels the Town has an obligation, so he would support doing those. He stated every road he has a different reason for supporting.

Mr. Normandin questioned Mr. Berlucchi if he said he could make the decision. Mr. Berlucchi replied that he doesn't make any decisions, they have to go to the Town Council but these are the only streets that he supports.

Mrs. Mello said there is a level of putting picture in perspective, you have to look at each street differently.

Mrs. Gloddy stated she doesn't think doing some private property and not other private property is logical.

Mr. O'Dell said he agreed with Ms. Gloddy in that the committee needs an outline from the Town Council and what is the goal of the committee.

Ms. Mello stated the committee needed to start with standards. If a road off a main road looks like a driveway then that is private road. If we have a road that we have no choice but to go around a cul-de-sac to get out then it makes sense to take care of that road.

Mr. O'Dell said at minimum the Town Council should do an outline for long term goal: this number of roads with an issue is ridiculous.

Ms. Gloddy said at the last meeting Mr. Berlucchi gave us paperwork and said he could not go on private property. Mr. Berlucchi said he has the plow list he goes by. We do, do go on private property because of the Town Council.

Ms. Eva said this practice has been a problem in Town for years. Ms. Mello stated that the committee could email her questions for Town Solicitor (Andrew Teitz). She also stated that only if changing services would the Town have to notify the residents.

Ms. Gloddy had confusion as to what our job as the Street Advisory Committee was.

Mr. O'Dell said we should provide the Town Council with all the research information and our recommendation. Ms. Mello said that if these residents are happy the way it is, leave it alone and move on.

The exo ficcio members, Joan Chabot, Nancy Mello, Stephen Berlucchi and Street Advisory Committee members had a discussion about what their job is. There was confusion as to what the Street Advisory Committee job is. Discussion on whether the Town can or cannot go on private property. Ms. Gloddy asked if the underlying problem was fixed or if the issue with the roads continues, Ms. Chabot said the problem still exists. Mr. Berlucchi stated there are roads the Town wants to accept that people are fighting him on.

Ms. Gloddy made a motion to go before Town Council for direction and/or discussion, Mr. O'Dell seconded the motion. The motion carried unanimously with Ms. Eva, Ms. Gloddy, Mr. Normandin and Mr. O'Dell voting in favor of the motion.

3. MEMBER ITEMS:

Ms. Eva distributed an excerpt from the Town Charter regarding attendance at meetings and handed a spreadsheet which she had prepared to secretary, Ms. Gloddy, for attendance which is required by the Town Charter.

4. APPROVAL OF MINUTES FROM JANUARY 22, 2014 MEETING

Mr. Berlucchi requested a few changes to the minutes.

Mr. Normandi made a motion to accept minutes as amended, Mr. O'Dell seconded the motion, the motion passed unanimously with Ms. Gloddy, Ms. Eva, Mr. O'Dell and Mr. Normandin voting in favor of the motions.

Members discussed items for next meeting agenda.

5. ADJOURNMENT

Ms. Gloddy made a motion to adjourn, Mr. O'Dell seconded the motion, the motion passed unanimously with Ms. Eva, Mr. Normandin, Mr. O'Dell and Ms. Gloddy voting in favor. Meeting adjourned at 9:15pm.

Submitted by Audrey Gloddy
Secretary

Date Approved: Approved
3/19/2014