

Agenda

October 14, 2008

Warren Town Council Meeting

Town Hall

514 Main Street

7:00 PM

Consent Agenda- all items listed with an asterisk (*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen request in which event the item will be withdrawn from the General Order of Business and considered in the normal sequence on the agenda.

PLEDGE OF ALLEGIANCE

RECOGNITION

Veterans of Operation Iraqi Freedom

- 1. Staff Sergeant Brian Ferreira**
- 2. Staff Sergeant Edward Lombardi**
- 3. Sergeant Robert McAdam**
- 4. Specialist Brent Miranda**
- 5. Specialist Arlin Nebiker**
- 6. Specialist Charles Martel**

RECOGNITION

- 1. Lifetime Achievement Awards**
- 2. Louis A. Rego**

INTERVIEWS

Municipal Court Clerk (Part Time)

- 1. Lucia Floor 21 Fox Hill Avenue, Bristol, RI 02809**
- 2. Julie Borden 1477 Main Road, Westport, MA 02790**
- 3. Elizabeth A. St. Ours, 101 Blueberry Lane, Tiverton, RI 02878**
- 4. Kristine Kelly, 34 Ridge Drive, East Providence, RI 02904**
- 5. Lisa Marie Raposo, 17 Reservoir Avenue #2, Bristol, RI 02809**
- 6. Valerie Bachini, 0708 Narragansett Avenue, Prudence, RI 02872**
- 7. Dennis Sao Bento, 48 Brownell Street, Warren, RI 02885**
- 8. Beverly-Ann Powell, 22 Harrison Street, Bristol, RI 02809**
- 9. Angela Luis, 15 Hobson Avenue, East Providence, RI 02914**
- 10. Karen F. Laroche, 1 Milwaukee Avenue, Warren, RI 02885**
- 11. Rhonda Lee Fortin, 34 Birchswamp Road, Warren, RI 02885**
- 12. Joanne M. Williams, 820 Main Street, Warren, RI 02885**
- 13. Christine E. McGovern, 11, Napoleon Street, Warren, RI 02885**
- 14. Monica Bailey Daniels, 12 Matthew Court, Warren, RI 02885**
- 15. Maggie G. Roukoz, 45 Lock Wood Circle, Swansea, MA 02777**

Open Space Committee 2 positions

1.

2

Conservation Commission 1 position

1. Jerry A. Belair, 22 Kelly Street

ACCEPTANCE OF MINUTES

Acceptance of September 2, 2008 Minutes

Acceptance of September 2, 2008 Executive Session Minutes

Acceptance of September 8, 2008 Minutes

Acceptance of September 8, 2008 Executive Session Minutes

Acceptance of September 25, 2008 Minutes

Acceptance of September 30, 2008 Minutes

CONSENT AGENDA:

***P-5, *P-6**

ORDINANCE

O-1 (2nd reading)

Proposed Ordinance Amendment to Chapter 11, Sec 11-28 Limitation on number of Class BV Liquor Licenses.

Pursuant to the provisions of section 3-5-16 of the General Laws, the

Town Council hereby limits the maximum number of Class BV liquor licenses as follows:

OLD - The maximum number of Class BV beverage licenses to be issued by the town is fixed at twenty (20).

NEW- The maximum number of Class BV beverage licenses to be issued by the town is fixed at twenty one (21).

O-2 (1st reading)

That the Code of the Town of Warren, Rhode Island is hereby amended by adding a section, to be numbered 11-59, which reads as follows:

Chapter 11

Article 2-Alcholic Beverage, Taverns & Victualling Houses

Section 11-59

Whenever it comes to the attention of the Warren Town Council that the holder of a Class B, C or D license has abandoned the premises from which the licensee has been conducting his or her business or

has ceased to operate under the license for a period of ninety (90) days or more, then after hearing with due notice to the licensee the Warren Town Council, sitting as the local licensing authority, shall cancel the license; provided that the local licensing authority may grant a reasonable period of time, not to exceed one year, to the licensee within which to reestablish the business where the abandonment or cessation of operating was due to illness, death, condemnation of business premises, fire or other casualty.

O-3 (1st reading)

Article III. Industrial Pretreatment Ordinance:

Division 6. Compliance Monitoring

Section 21-288. Publication of users in significant noncompliance.

(1) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of wastewater measurements taken during a 6 month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1)

(2) Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter during a 6 month period equals or exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1)

(3) Any other violation of a Pretreatment Standard or Requirement as

defined by 40 CFR 403.3(1) including daily maximum, long-term average, instantaneous limits or narrative standard, as defined by 40 CFR 403.3(1) or any other the Town Manager believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel of the general public.

(4) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Town Manager's exercise of its emergency authority under paragraph (f)(1)(vi)(B) to halt or prevent such a discharge.

(6) Failure to provide within 45 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports and reports on compliance with compliance schedules.

(8) Any other violations or group of violations, which may include a violation of Best Management Practices which the Town Manager determines, will adversely affect the operation or implementation of the local pretreatment program.

PUBLIC HEARING

PH-1

Request for a BV Liquor License

From: Three River's Café, Inc., Nancy O'Connell

267 Water Street

Warren, RI 02885

PH-2

Request for a Transfer of a BV Liquor License

From: Zhang's Restaurant

d/b/a Chang's Buffet

840 Main Street

Warren, RI 02885

To: Meiyung Zhang

d/b/a Lucky House

840 Main Street

Warren, RI 02885

TOWN COUNCIL

Town Council President- Frank J. Alfano

a.) Economic Development Board

b.) Columbus Way Streetlights

Vice President- David S. Frerichs

a.) Water Street Parking (Committee/Workshop).

Councilman Joseph DePasquale

a.) Discussion and action proposal and demonstration of LED Street Lights to replace the 1,000 old, wasteful existing Cobra Head street lights in the Town.

PETITIONS:

P-1

Request Public Hearing for Transfer of BV License

From: Downstairs, Inc.

28 Market Street

Warren, R.I 02885

To: 2nd Story Theatre

28 Market Street

Warren, T.I 02885

P-2

Request Public Hearing for a BV Liquor License

From: Feast or Famine, Inc.

495 Main Street

Warren, RIO 02885

P-3

**Request Public Hearing for a Transfer Location of BV Beverage
Liquor License**

From: J & M Partnership d/b/a/ Nat Porter

125 Water Street

Warren, RI 02885

To: J & M Partnership

13 Child Street

Warren, RI 02885

P-4

Request Public Hearing for a BV Liquor License

From: Ben Luk

601A Metacom Avenue

Warren, RI 02885

***P-5**

Request for a Class F Beverage Liquor License

From: Massasoit Hook & Ladder Fire Co.

One Joyce Street

Warren, RI 02885

Date: October 18, 2008 – Annual Surf & Turf Dinner

Place: Main Fire Station, Joyce Street

***P-6**

Request for a One-Day Peddlers License

From: Russell Lefort

14 Highview Avenue

Warren, RI 02885

Date: November 28, 2008 – Christmas Bazaar

CORRESPONDENCE

C-1.

Cancer Resolution

C-2

The Kickemuit Education Foundation's 2nd Annual Walk for Educational Excellence.

C-3 Warren Project Playground Committee

OLD BUSINESS

OB-1

Company Street regarding one way.

NEW BUSINESS

NB-1

Request from Discover Warren seeking additional funds for the 5th Annual Walkabout.

NB-2

Letter from East Bay Community Action Program requesting approval from the

Town Council to install two (2) appropriately rated doors in the main hallway on the first floor at the Mary V. Quirk School and request consideration from the Town to reimburse them at 50% of the cost of the doors. (Approximately \$3,325.00)

SOLICITOR

1. Request a motion for Executive Session (closed session) Pursuant to 42-46-5 Sub Section (a) (2), Litigation (Status of IOD Claims) and Sub Section (a) (5) Property (future of Main Street School).

HIGHWAY DIRECTOR

1. Over-expenditure in Part Time employee account #1-01-20-4020-20 for \$98.00.

TOWN CLERK

1. Request permission to advertise the renewal of the 2008-2009 Liquor Licenses Class- A, BV, BVL, BT, C, & D.

2. Update on search of Town Manager.

FIRE CHIEF

1. RFP Proposal for a 1982 Seagrave Ladder Truck. (no bids)

**2 Approval to award bid for a 20ft. 1986 Seacraft Boat and Trailer to
Lucio Cabral**

3 Almeida Drive, Warren, R.I for \$3,200.00.

**3. Request the Town Council to waive the bidding process for
upgrade of extrication**

**tools and award the bid to Hurst, Jaws of Life, 711 N. Post Road,
Shelby, N.C., for**

**\$5,140.00 under Section 2-256. Sole Source Procurements and
emergency**

procurements of the Warren Town Code.

4. Request the Town Council to approve the change order to the Baker Street

Fire Station and authorize the Council President to sign the contract from

Blank Construction for \$250.00.

5. Update on the status of Station 6 in Touisset

6. Request the Town Council to approve and the Council President to sign the Medical

Distribution System (MEDS) agreement with the RI Department of Health for the

2009 contract period.

TAX BOARD OF REVIEW

1. 2008 Abatements \$ 822.68

FINANCE DIRECTOR

1. Requesting Town Council approval for investment request.

2. Confirmation of payout to Town Manager.