

**TIVERTON TOWN COUNCIL**

**343 HIGHLAND ROAD**

**Regular Meeting: Monday, October 24, 2005 at 6:30 P.M.**

**NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.**

**DATE POSTED: 10-20-2005**

**1. PLEDGE OF ALLEGIANCE TO THE FLAG**

**2. ROLL CALL**

**Joanne M. Arruda Cecil E. Leonard**

**Donald Bollin Brian A Medeiros**

**Paul E. Carroll Arthur R. Wyman, Jr.**

**Louise Durfee**

**EXECUTIVE SESSION**

**1. Town Solicitor – 42-46-5(2) - Discussion of Pending Litigation Regarding Sewer Issues Follow up of Staff Meeting October 14, 2005**

### **3. APPROVAL OF CONSENT AGENDA**

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

### **4. BUSINESS BROUGHT BEFORE THE COUNCIL**

#### **A. APPROVAL OF MINUTES OF PREVIOUS MEETINGS:**

**(C.A.) 1. Minutes of Regular Council Meeting October 11, 2005**

#### **B - OLD BUSINESS:**

- 1. Town Solicitor Update on 14 Colonial Avenue Water Discharge**
- 2. Town Solicitor Update on Highway Commercial Zoning**
- 3. Town Solicitor Report on Council Involvement of Town Administrator Hiring**

#### **C - APPOINTMENTS & RESIGNATIONS:**

- 1. Request Appointment – Recreation Committee –Diana Toste – 543 Eight Rod Way  
Term to expire on 6/30/2007**

#### **D- FINANCIAL BUSINESS:**

- 1. Town Administrator – DPW -Request Approval of Transfer of Funds - \$18,765 From #554-794 (Drainage and Paving) To #554-611 (Gas, Oil**

**Fuel)**

**2. Town Administrator – Seeking Guidance From Council on the Budgetary Process for F/Y 2006-2007**

**E - NEW BUSINESS:**

**1. Tiverton Skate Park – Jeffery Smith – Kenneth Cabral – Update Council on Tiverton Skate Park**

**2. Councilor Carroll – Request Clarification of Solicitor on Accepting Minutes From**

**Various Boards and Commissions Places as Consent Agenda**

**(C.A.) 3. Tax Collector – Geri Holewiak – Removal of Property From Tax Sale**

**4. Councilor Medeiros – Discussion/Approval of Town Policy on Communications**

**5. Councilor Medeiros – Revise and Finalize Appointment Policy for Boards and Commissions**

**6. Councilor Medeiros – Update on Tax Assessor Hiring Process**

**F - BOARD OF LICENSING COMMISSIONERS:**

**1. Town Clerk – Recommendation From Planning Board on Country View Estates**

**Thirty Day Extension to Temporary Annual License – Schedule Show Cause Hearing**

**2. Public Hearing - Richard Duclos – Scratchers, Inc. – 15 William S.**

## **Canning Blvd –**

**Requesting BVL License and Victualling License**

### **3. Show Cause Hearings Regarding Liquor Violations Continued**

**a. Liquor License For Stone Bridge Restaurant, 1848**

**Main Road**

**b. Liquor License For Patriots' Club, 70 Shove Street**

## **G – BIDS AND REQUESTS FOR PROPOSALS**

**(C.A.) 1. Town Administrator – Seeking to Waive Bidding on Survey for Open Space**

**Acquisitions And Award Bid to Civil Engineering**

**Concepts**

**2. Chief Lloyd – TFD – Request Waiving of Bid For The Purchase of a Portable**

**Defibrillator And Award Bid to Zoll Medical Corp. for \$15,600**

## **H – PUBLIC HEARINGS**

**1. Holiday Business - Addition to Town Code Ordinance – Chapter 22-3**

**2. Solid Waste Management Proposed Amendments – Chapter 66**

## **I - ABATEMENTS:**

**(C.A.) 1. Tax Assessor's Abatements**

## **J - CORRESPONDENCE**

**New Correspondence**

**(C.A.) 1. Correspondence Received From Town of South Kingstown**

**Regarding Resolution**

**Lyme and Tick Borne Disease Prevention, Education and Research Act of 2005**

**(C.A.) 2. Correspondence Received From Atty. William Camara Regarding Buildable Lot on**

**Judson Street in Moratorium Area – Referred to Town Administrator and Building**

**Official**

**(C.A.) 3. Correspondence Received From Weaver’s Cove Energy**

**(C.A.) 4. Email Received From Peter Moniz Regarding Middletown Strategic Plan Steering**

**Committee**

**(C.A.) 5. Correspondence Received From U.S. Small Business Administration Regarding**

**Awards**

**Correspondence Previously Distributed**

**(C.A.) 6. Correspondence Received From Southern RI Conservation District Regarding Annual**

**Dinner**

**K – RECEIPT OF MINUTES FROM SCHOOL COMMITTEE, BOARDS AND**

**COMMISSIONS**

**(C.A.) The Following Boards, Commissions**

- a. Tiverton Recycling Committee**
- b. Tiverton Conservation Commission**
- c. Fogland Beach Oversight Committee**
- d. Tiverton Landfill Subcommittee**
- e. Tiverton Historical Cemeteries Commission**
- f. Tiverton Tree Commission**

**L - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

- 1. Public Announcements**

**M – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

**N – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

**5. CLOSED EXECUTIVE SESSION**

- 1. Town Solicitor – 42-46-5(2) – Litigation – Bay Street Contamination Litigation**

**A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.**

**6. ADJOURNMENT**

**Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein**

**shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”**