

TIVERTON TOWN COUNCIL

343 HIGHLAND ROAD

Regular Meeting: Monday, March 28, 2005 at 7:00 P.M.

AGENDA

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: 3-24-2005

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Joanne M. Arruda Cecil E. Leonard

Donald Bollin Brian A Mederios

Paul E. Carroll Arthur R. Wyman, Jr.

Louise Durfee

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:

- (CA) 1. Regular Town Council Meeting of March 14, 2005**
- (CA) 2. Executive Session Meeting of March 14, 2005**

B- OLD BUSINESS:

1. Carried Forward From March 14th Meeting.

(C.A.) a. Correspondence Received From Councilor Leonard-Reference From Administrators

Report Regarding Aqua Farming – Receive and File

(C.A.) b. Town Administrator-Response to Correspondence- Aqua Farm – Receive and File

(C.A.) c. Town Administrator-Clarification of Department Head Hiring Issues

Withdrawn Per Town Administrator Request

(C.A.) d. Town Administrator - Public Announcements - Withdrawn

e. Town Solicitor – Memorandum From Solicitor – Hunting Regulation

(C.A.) f. Town Solicitor – Memorandum From Solicitor – Financial Process Advisory

Panel (FPAP) – Related to Open Meeting Laws – Receive and File

(C.A.) g. Town Solicitor – Memorandum From Solicitor – Quorum for Wastewater Management

Commission – Receive and File

2. Paul Brown – Water Discharge from Colonial Avenue

3. John P. Schuyler - Tiverton Library Board of Trustees/Library Building Committee

Presentation Concerning Plans to Build A New Library For Tiverton

(C.A.) 4. Councilor Wyman – Landfill Sub Committee – Continued from March 14th Meeting

Withdrawn per Request of Landfill Sub Committee

5. Councilor Bollin – Discuss Procedure For Annual Town Administrator Evaluation

6. Town Treasurer – Designation of (TIB) Administrator – Starwood

7. Town Treasurer – Funds for Audit of Town Account

C - APPOINTMENTS & RESIGNATIONS;

1. Wastewater Management – Appointment of Member – Christopher Nearpass

2. Recreation Commission – Appointment of Member – Dawn DeCosta

3. Economic Development Commission – Resignation of Member – Jane Eyler

4. Economic Development Commission – Appointment of Member –

Brad Smith

D- FINANCIAL BUSINESS:

(C.A.) 1. Town Administrator – Approval of Interdepartmental Transfer From 212-590 (Tax Assessor

Computer Services) to 212-521 (Tax Assessor Mileage) \$900.00

(C.A.) 2. Town Administrator – Approval of Police Interdepartmental

Transfer From 333-167 (Equipment) to 333-168 (Uniform) \$2500.00

Transfer From 333-648 (Vehicle Maint.) to 333-610 (Heat) \$2000.00

Transfer From 333-101 (Personnel) to 333-112 (Personnel Deputy Chief) \$652.03

3. Town Administrator – Request Release of Carry-Forward Funds \$228.88 From 99-333-101-00

(Police Personnel Services) to 102-890 (Town Council Miscellaneous Account)

Request Transfer of \$228.88 from 102-890 to 554-102 (DPW Overtime)

(C.A.) 4. Tiverton Fire Department – Approval of Transfer of Funds - Interdepartmental

Transfer From 331-105 (Paid Holidays) to 331-102 (Overtime) \$4000.00

Transfer From 331-106 (Longevity) to 331-102 (Overtime) \$2500.00

Transfer From 331-109 (EMS Incentive) to 331-102 (Overtime) \$1500.00

(C.A.) 5. Tiverton Fire Department – Request Release of Carry Forward Funds \$1,570.69

In 99-331-610 (Heat)

(C.A.) 6. Planning Board – Request Release of \$20,900.32

Carry Forward Funds 99-107-398 (Prof/Tech Account)

**(C.A.) 7. D. Webster – DPW – Request Approval of Transfer
\$2,601.76 From 554-794(Drainage and Paving)**

To 554-610 (Heat)

**(C.A.) 8. D.Webster – DPW – Request Approval of Transfer
\$7,200.63 From 554-794 (Drainage and Paving)**

To 554-611 (Gas, Oil, Fuel)

**(C.A.) 9. D. Webster – DPW – Request Release of \$4,505.00 Carry
Over Funds 554-100(Director**

Of Public Works)

**10. Town Clerk – Request Transfer of \$800.00 From 102-890
(Council Cont.) to 102-554 (Advertising)**

E - NEW BUSINESS:

**1. Fire Chief – Approval of Hiring Two Probationary Fire Fighters
based on Town Administrator**

Appointments

**(C.A.) 2. Town Council Approval of Request From Dan Weiss,
Regional Director, US Windsurfing Assoc., Inc**

Use of Fogland Beach – July 16, 2005-

Recreation Commission Recommends Approval

(C.A.) 3. Laura Epke – (FPAP) – Request Approval for Workshop on April 4th

4. Town Treasurer – Elementary Schools Bond Resolution

(C.A.) 5. Town Administrator – Approval for CDBG Public Hearings on April 11th and May 9th

Approval of Advertising

6. Councilor Carroll – Discussion On Town Recycling Program

7. Councilor Carroll – Discussion On Sewer Fees

8. Councilor Carroll – Discussion On Stormwater Management Plan and Impact on Highway Dept

9. Councilor Carroll – Rescue Vehicle Bid Update

10. Landfill Sub-Committee – Request Council Consideration to Finalize “Pay As You Throw”

Ordinance – Followed by Request on April 11th for Public Hearing on May 9th

(C.A.) 11. Recreation Commission – Permission to Hold Caribbean Night on Sunday, July 17, 2005

Permission to Hold Country Western Night on Sunday, August 21, 2005

Subject To All Legal Requirements

12. Police Chief – Discussion of Amendment to Section 78-74 (Traffic & Vehicles) of Tiverton Town

Code Regarding Parking

(C.A.) 13. Tiverton Garden Club – Request Council Declare Week of Saturday, April 16th Through

Sunday, April 24th as “Tiverton Cleanup Week”.

14. Councilor Leonard – Sewers and Sewage Disposal – Ordinance Appendix C, All Articles of

Section 18 – Request Status Update of Said Ordinance

15. Councilor Medeiros – Discussion of Policies to Better Inform Public of Town Meetings, Actions,

16. Councilor Medeiros – Request For Update From Administrator on Town Website Plans/Council

Input

17. Councilor Medeiros – Discussion of Proposed Policy for Town Hiring Processes/Requests for

Information

F - BOARD OF LICENSING COMMISSIONERS:

(C.A.) 1. Town Clerk – Approval of Renewal of Victualling Licenses Subject to Meeting All Legal Requirements

(C.A.) 2. Dawn Branco - Gift and Beyond – Approval of Sunday Sales License

Subject to Meeting All Legal Requirements

(C.A.) 3. Susan Freda Studios – Approval of Name Change From Angell Marie Studios

To Susan Freda Studios – Subject to Meeting All Legal Requirements

(C.A.) 4. Town Clerk – Approval of Renewal of Antique Licenses Subject to Meeting All Legal Requirements

(C.A.) 5. Town Clerk – Approval of Renewal of Sunday Licenses Subject to Meeting All Legal Requirements

(C.A.) 6. Chris Potter – Approval to Transfer of Victualling and Sunday License – New Owner – Saughkonnet Hot Dogs

G – PUBLIC HEARINGS

1. Public Input Hearing on Hazard Mitigation

H - ABATEMENTS:

(C.A.) 1. Tax Assessor's Abatement

I - CORRESPONDENCE

(C.A.) 1. Thank You Note Received From Councilor Carroll – Received and Filed

(C.A.) 2. Correspondence Received From Atty Brady – Forwarded to Zoning Board – Counsel

(C.A.) 3. Correspondence Received From Town Treasurer – Received and Filed

4. Correspondence Received From Mark A. Simoes Concerning Head Start Program at Nonquit School.

5. Correspondence Received From Town of Barrington Public Schools – Pension Benefit Reform

6. Correspondence Received From City of Cranston Regarding House Bill 6095

Taxpayers Relief Act

J – RECEIPT OF MINUTES FROM SCHOOL COMMITTEE, BOARDS AND COMMISSIONS

(C.A.) The Following Boards, Commissions and School Committee Have Submitted Minutes of Meetings

- a. Tiverton Historical Cemetery Comm**
- b. Library Board**
- c. Substance Abuse Task Force**
- d. Pocasset Cemetery**
- e. Conservation Commission**
- f. Wastewater Management Commission**
- g. Tree Commission**
- h. Recreation Committee**
- i. School Committee**

K - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

- 1. Public Announcements**

L – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

M – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

- 1. Library Land Acquisition 42-46-5(a)(2)**
- 2. Open Space Land Acquisition 42-46-5(a)(2)**

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.”