

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, December 8, 2008 at 7:00 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: 12-4-2008

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin Jay Lambert

Joanne Arruda Cecil Leonard

Hannibal Costa Edward Roderick

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. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from November 24th Regular Council Meeting

b. Approval of Executive Session Meeting Minutes November 24th

Continued to December 2, 2008

c. Approval of Minutes from November 10th Regular Council Meeting

Councilors Roderick, Lambert and Leonard Abstained – Not in Attendance

d. Approval of Minutes from October 27th Regular Council Meeting

Councilors Roderick, Lambert and Leonard Abstained – Not in Attendance

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Recreation Commission (2)

b. Fogland Beach Oversight (3)

c. Arts Commission

(C.A.) 3. CORRESPONDENCE - RECEIVE AND FILE

a. Received From Steven Rys, Landfill/Recycling Committee Regarding Tiverton

Ranger School Honored as Top Recycling School in State

B – PUBLIC HEARING – ADVERTISED

1. Town Solicitor – Proposed Adoption of an Ordinance Amending Chapter 22 to Formalize and Elaborate on Existing Practices for Entertainment at Business Establishments and/or for Money-Making Purposes - Continued From Nov. 24th

B – PUBLIC HEARING – ADVERTISED - continued

2. Town Administrator – Proposed Annual Review and Amendment to Various Fees, Fines and Permit Costs as Authorized by Ordinance and Previously Set Forth in Code –Continued From Nov. 24th

C - BOARD OF LICENSING COMMISSIONERS -NON ADVERTISED

1. Request for Late Renewal of Annual Holiday License – Subject to Meeting All Legal Requirements – Late Fee Collected

a. Auto Gallery, Inc., 750 Main Road

b. Durand’s Kawasaki Motorsports, 147 Main Road

c. Tiffany Peay Jewelry, 3879 Main Road

d. Envy Gymnastics, Inc., 935 Main Road

e. Gallery Four, 3848 Main Road

2. Bay Street Properties, d/b/a Seabreeze Restaurant – Requests Permission to Remain Open Until 2 o’clock a.m. on New Year’s Eve - Subject to Meeting Council Restrictions – Continued From Nov 24th Meeting

D - APPOINTMENTS & RESIGNATIONS:

1. Appointment to Housing Authority Board

a. Request by Elaine Nearpass (new request)

b. Request by Michael Burk (new request)

2. Appointments to Juvenile Hearing Board

a. Request by Cynthia Costa, Stone Church Road (new request)

b. Request by Adam J. Cox, 134 Field Stone Lane

c. Request by John J. Daponte, Jr., 318 Riverside Drive

d. Request by Richard Bush, 110 Fir Avenue

e. Request by Robert Vermette, 23 Mallard Lane

f. Request by Mary Lou Proulx, 157 Briarwood Avenue

g. Request by Rene G. Brown, Esq., 325 State Avenue

h. Request by Seena Franklin, 67 Durfee Road (new request)

i. Request by Eugene Raposa, 413 Hooper Street (new request)

3. Appointment to Library Board of Trustees

a. Maureen Morrow

4. Appointment to Historical Preservation Commission

a. Request by Susan Anderson

5. Resignation of Thomas Parker as Member of Harbor Commission

E - UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS:

G - NEW BUSINESS:

- 1. Councilor Durfee – Extension of Moratorium on Bay Street Area to June 30, 2009**
- 2. Councilor Leonard – Implementation of Charter Revisions Approved Nov 4, 2008**
- 3. Councilor Leonard – Process of Establishing Major Council Goals**
- 4. Town Clerk**
 - a. Acceptance of Town Council Meeting Schedule 2009 for Publication**
 - b. Decision on December 22nd Meeting**

H – BIDS AND REQUESTS FOR PROPOSALS

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

- 1. Distribution of Memorandum Regarding Narragansett Electric Co. v. RI Municipalities**

5. CLOSED EXECUTIVE SESSION

- 1. Town Solicitor - Litigation – 42-46-5(a) (2)**
- 2. Town Administrator – 42-46-5(a) (5) – Possible Acquisition or Disposition of Town**

Held Property

3. Town Administrator – 42-46-5(a)(2) – Collective Bargaining AFSCME

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.”