

TIVERTON TOWN COUNCIL AGENDA

Regular Meeting: Monday, August 23, 2010 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: 08-19-2010

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President Jay Lambert

JoAnne Arruda-Vice President Cecil E. 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 Regular Council Meeting June 21, 2010

b. Approval of Minutes from Workshop/Special Council of June 28, 2010

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

a. Wastewater Management Commission

(C.A.) 3. Correspondence – Receive and File

a. Received From Jamestown Committee on LNG Threat Regarding September 8th “Congress of Councils” Meeting and Information Release

(C.A.) 4. Approval of Tax Assessor Abatements

(C.A.) 5. Treasurer’s Distribution of Salary Survey 2010-2011

(C.A.) 6. Town Solicitor and Town Administrator – Distribution of Draft Pay As You Throw Regulations, and

Request to Schedule Public Hearing for September 13th Meeting

B –PUBLIC HEARING

1. Possible reopening of request for a variance to the Noise Ordinance; Section 38 of the Town of Tiverton Code of Ordinances by Jane Bitto, Evelyn’s Drive-In, 2325 Main Road, Tiverton. The requested variance is to allow for live music on the grounds of the restaurant property for a fundraiser “Singing Out Against Hunger” on September 11th, 12th and 13th, 2010 between the hours of 12:00 p.m. and 9:30 p.m.

This Public Hearing will be taken up after Item E-1 below, only if the motion to reconsider passes. The order of any item on the Agenda may be moved at the discretion of the Town Council.

C- BOARD OF LICENSING COMMISSIONERS

1. Vincent J. Storti - dba Vincent’s Restaurant, 1148 Stafford Road– Request Approval of Victualling License – Subject to Meeting All Legal Requirements

2. Nelson A. Luz - dba Luz Fresh Seafood – Request Approval of Hawkers License – Subject to Meeting All Legal Requirements

3. Annual Renewal of Countryview Estates LLC License – Continued From

July 12, 2010 Council Meeting

D - APPOINTMENTS & RESIGNATIONS:

1. Charles E. Lawrence, 108 Long Pasture Way – Request Appointment to Harbor Commission

2. Adoption of Resolution Establishing the Financial Town Meeting Changes Advisory Committee

a. Appointments

Co-Chairman Jeffrey Caron, 164 Nanaquaket Road

Co-Chairman Brian Medeiros, 127 Grinnell Ave

Jeffrey Sroczyński, 1966 Main Road

Robert B. Gaw, 199 Lepes Road

Laura Epke, 532 Neck Road

Deborah Pallasch, 432 Lake Road

E - UNFINISHED BUSINESS:

1. Councilor Roderick – Motion to Reconsider Vote for Conditions to Noise Variance Granted to Evelyn’s Drive-In, 2325 Main Road for “Singing Out Against Hunger” Fundraiser on September 11, 12 and 13th. NOTE: If Motion to Reconsider Passes, Public Hearing Will Be Reconvened Immediately Thereafter.

2. Councilors Durfee and Roderick – Continued From August 10th Meeting – Draft Budget and Revenue Reports of June 30, 2010

F – FINANCIAL BUSINESS:

G - NEW BUSINESS:

1. Councilor Leonard – Request Chairperson of Planning Board Report to Council Status of Board’s Work on New Wind Turbine Regulations

2. Councilor Leonard – Request Planning Board Chair and Town Administrator Provide Council with Status Report on Creation of Design Review Standards and Establishment of Design Review Commission per Comprehensive Community Plan

3. Laura Epke, Municipal Buildings Feasibility Advisory Committee Request Approval of the Preparation and Dissemination of RFP for Nonquit School

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

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)

2. Town Administrator–42-46-5(a)(2)–Collective Bargaining – IBPO, IAFF, Teamsters

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.”