

**Tiverton Town Hall
343 Highland Road
Tiverton, Rhode Island 02878**

Regular Meeting: Monday, June 25, 2012 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 forty-eight (48) hours in advance of the meeting date.

DATE POSTED: 06-21-2012

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

**Jay Lambert-President Robert D. Coulter Edward Roderick
Cecil E. Leonard-Vice President David M. Nelson Brett N. Pelletier
Joan B. Chabot**

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 May 21, 2012

No Executive Session Held on May 21, 2012

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

a. Historic Cemeteries Commission

b. Historical Preservations Advisory Board (2)

c. Personnel Board

d. Fogland Beach Oversight Committee

e. Open Space and Land Preservation Committee

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

a. Pawtucket School Committee a Resolution Opposing Highly Distressed Intervention Act

b. Email From Attorney General Peter F. Kilmartin – Invitation to Annual Open Government Summit on Friday, July 27, 2012

(C.A.) 4. Town Clerk – Extension of Bay Street Moratorium to December 31, 2012

(C.A.) 5. Town Clerk – Response to Board and Commission Members Meeting Elector Requirement

(C.A.) 6. Approval of Tax Assessor Abatements

(C.A.) 7. Schedule Public Hearing For Ordinance Governing Sale and Storage of Fireworks on August 14th

A-1 OPEN PUBLIC FORUM

Public Forum for Announcements, Comments, Questions

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

1. Outdoor Hydronic Heaters, Proposed Amendment to Code of Ordinances

2. Proposed Zoning Ordinance Amendment –Planned Development Park

Amendment to Zoning Map Plat 107/Lot 105 & Plat 109/Lot101 (formerly Block 113/Card 69&72) Tiverton Industrial Park -Including Adoption of Development Standards and Guidelines

C. BOARD OF LICENSING

D - APPOINTMENTS & RESIGNATIONS:

Appointments (Group B and Any Vacancies in Other Groups)

1. Cemetery Commission (One Vacancy – 3 Year Term to April 15, 2015)

a. JoAnn Bollin, 63 Ash Ave. (New Request)

b. Eileen Hall, 200 Kenyon Road (New Request Previously Interviewed)

2. Zoning Board of Review – First Alternate – Term to July 15, 2013

Matthew Cayer, 3566 Main Road - Request Re-appointment

3. Harbor Commission (Three Vacancies – Term to July 15, 2014)

a. Charles E. Lawrence, 108 Long Pasture Way - Request Re-appointment

b. Robert Dixon - Resignation

4. Planning Board (Three Vacancies – Term to July 15, 2015)

a. Stephen Hughes, 225 Winnisimet Drive - Request Re-appointment

b. Carol Guimond, 37 Neck Road – Request Re-appointment

c. Resignation of Elizabeth Kinnane

E - UNFINISHED BUSINESS:

1. Councilor Leonard - Update of Comprehensive Community Plan – Continued From June 11th

Creation of a Broad Based Citizen Group to Prepare a Current Comprehensive Community

Plan for Submission to the Appropriate State Agencies on or

Before the 2014 Due Date

a. Town Solicitor – Proposed Enabling Resolution

2. Bob Martin, Recreation – Request Funds For Bulgarmarsh Park Gazebo

F – FINANCIAL BUSINESS:

1. Town Administrator – Request Approval of Transfers, Carry Forwards & Releases

See List Attached to Agenda Request

G - NEW BUSINESS:

1. Chief Blakey – Request Permission To Advertise To Fill The Position Of An Emergency Service Dispatcher

2. Councilor Coulter – Property Tax Relief Measures – Request Scheduling of Public Hearing to Consider Ordinance for Late Payment Waiver Program

3. Chief Robert D. Lloyd – Advise Council and General Public of Most Recent ISO Survey and Review of the Fire Department Performed by ISO

4. Councilor Nelson – Single Stream Recycling and Effects on One

Bin, One Barrel Policy

Continued From June 11th

- a. Proposed Amendment To Ordinance to Reflect Single Stream Recycling**
- b. Current No Bin No Barrel Ordinance**
- c. Pay As You Throw Waste Collection Program Regulations**

H – BIDS AND REQUESTS FOR PROPOSALS

1. Town Administrator/ DPW Director – Request Award of Bids as Recommended by DPW Director for Road Materials Continued From June 11th to:

a. Low Bidder G. Lopes Construction, Inc, Taunton, MA

For Washed Sand, Crushed Bank Gravel, Reprocessed Gravel, Loam, Rip Rap 3-4”

b. Low Bidder P.J. Keating Company, Cranston, RI

For Washed $\frac{3}{4}$ ” Stone, Washed 1 $\frac{1}{2}$ ” Stone, Washed Pea Stone, Bank Run Gravel, Crushed Bank Gravel $\frac{3}{4}$ ” minus, Crushed Bank Gravel 1 $\frac{1}{2}$ ” minus, Rip Rap 6-8”

c. Low Bidder LAL Construction Co, Fall River, MA

For Crushed Bank Gravel 1 $\frac{1}{2}$ ”, Reprocessed Gravel, Loam

2. DPW Director – Request Authorization to Advertise for Bids to Purchase a 8ft x 20ft Steel Mobile Storage Unit for Tire Storage At the DPW –Estimated Cost \$3,500

**3. Police Chief – Permission to Advertise Bids for Two 2012 or 2013
Police Package Vehicles**

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

1. Brief Update on Tiger Tree/James Pelletier v Tiverton

2. Campbell et al v. Town of Tiverton (TYC)

L- TOWN CLERK ANNOUNCEMENTS

5. CLOSED EXECUTIVE SESSION

**1. Disposition of Town Held Property – 42-46-5(a)(5) – Nonquit and
Old Ranger School**

**2. Litigation – 42-46-5(a)(2) – B.K. Realty, Inc. v. David Robert –
NC-2010-0668**

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.”