

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

Regular Meeting: Monday, July 23, 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: 07-19-2012

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
June 25, 2012**

Councilor Nelson abstained - Absent

b. Approval of Executive Session Minutes Held on June 25, 2012

Councilor Nelson abstained – Absent

**c. Approval of Minutes From Regular Council Meeting July 9,
2012**

**d. Approval of Executive Session Minutes Held on July 9,
2012**

**e. Approval of Special Council Meeting Minutes June 14,
2012**

Councilor Coulter Abstained-Absent

**f. Approval of Executive Session Minutes Special Council
Meeting June 14, 2012**

Councilor Coulter Abstained-Absent

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

a. Fogland Beach Oversight Committee (4)

b. Pocasset Cemetery Commission

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

a. Resolution Received From Town of Exeter Regarding

Support of South County and Westerly

Hospitals

b. Distributed on July 9th by Barbara Pelletier – Six Month Update Regarding Newport County Visitors Center

c. Distributed on July 9th by Councilor Nelson – Summary of Activity on EBEC Legislation

d. Bruce Cox, Chair Harbor & Coastal Waters Management Regarding Risk to Navigation at the New Sakonnet River Bridge – Sent to Town Administrator, RIDOT, Cardi Construction and USCG

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

(C.A.) 5. Kate Michaud, Planning Board Administrative Officer Report of Activities for June 2012

(C.A.) 6. Bruce Cox, Chair Harbor and Coastal Management Commission – Request Public Hearing

On Harbor Management Plan on August 27th

A-1 OPEN PUBLIC FORUM

Public Forum for Announcements, Comments, Questions

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

C. BOARD OF LICENSING

1. Prof. Nancy Swing, DBA Natures, 1784 Main Road – Request Approval of Holiday License

Subject to Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

1. Town Administrator – Resignation of Plumbing and Mechanical Inspector Donald Snell

And Request to Advertise Position

E - UNFINISHED BUSINESS:

1. Bruce Cox, Chairman Harbor & Coastal Waters Management Commission – Status of Marine 1

2. Garry Plunkett, Tiverton Representative to the East Bay Energy Consortium (EBEC)

Final Report on the EBEC Public Corporation Initiative

3. Councilor Coulter – Comprehensive Strategy to Oppose Tolls on Sakonnet River Bridge

4. Councilor Coulter – Confirm Scheduling of Solutions-Focused Planning/Zoning Issues Forum

Scheduled for Saturday, August 18th

F – FINANCIAL BUSINESS:

- 1. Town Solicitor – Resolution For Vote – Quarterly Tax Payment Schedule**
 - a. Memorandum From Town Solicitor**
 - b. Resolution**

G - NEW BUSINESS:

- 1. Councilor Chabot – Town Personnel Manual – Request Status From Town Administrator on Efforts to Update/Revise Town Personnel Manual and to Provide Target Dates for Completion of Each Section**
- 2. Councilor Nelson – Discussion of Webmaster for Tiverton Town Website and Future Support With Possible Vote**
- 3. Councilor Nelson – Discuss Letter Expressing Preliminary Conceptual Support of a Comprehensive Renewable Energy Facility in the Town of Tiverton on Property Owned by Natural Energy Generation Inc. Possible Vote**

H – BIDS AND REQUESTS FOR PROPOSALS

- 1. DPW Director, Stephen Berlucchi - Request Award of Bid for Purchase of Commercial Grade Power Washer to R. S. Rental Equipment Co. Somerset, MA as the Low Bidder for \$4,972**
- 2. DPW Director, Stephen Berlucchi – Request Authorization to Solicit Bids for Purchase of a Concrete Mixer**
- 3. Kate Michaud, Tiverton Planning Department – Request to Hire The Cecil Group for the Statewide Planning Challenge Grant Project – From Main Road to Main Street Using Form Based Codes to Create Streets of Opportunity**

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

- 1. Councilor Coulter – Schedule Volunteer Appreciation Night and Brief Discussion of Logistics**

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

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

2. Open Meetings Act and Access to Public Records Act – Attorney General Open Government Summit

- a. Agenda July 27, 2012**
- b. Memo From Assistant Solicitor Nancy Letendre**
- c. Memo to Police Chief**
- d. Discussion of Designated Public Records Officer**

3. Nonquit School Title Exam

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. Councilor Coulter - 42-46-5(a)(2) – Potential Litigation – Sakonnet River Bridge Tolls**
- 3. Councilor Chabot – 42-46-5(a)(2) – Litigation – Quarterly Status Report On All Pending Litigation**
- 4. Collective Bargaining - 42-46-5(a)(2) – IAFF, AFSCME and IBPO**
- 5. Collective Bargaining -42-46-5(a)(2) – Council 94 (Department Heads)**

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.”