

TIVERTON TOWN COUNCIL AGENDA
Tiverton Town Hall
343 Highland Road
Tiverton, Rhode Island 02878
Regular Meeting: Monday, November 26, 2018 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: 11-20-2018

A-1 REGULAR MEETING: (Retiring Town Council):

President Denise deMedeiros: Call Meeting to Order
Pledge of Allegiance to the Flag

Town Clerk Takes Roll Call

Denise M. deMedeiros - President John G. Edwards, V - Vice President Joan B. Chabot
Patricia M. Hilton Randy J. Lebeau Joseph C. Perry, Jr. Christine E. Ryan

- a. Approval of Minutes
Approval of Regular Session Council Meeting Minutes October 22, 2018
Approval of Executive Session Council Meeting Minutes October 22, 2018

- b. Remarks by Retiring Council Members Wishing To Speak

Honorable Senators Louis P. DiPalma, Walter S. Felag and James A. Seveney
Honorable Representatives John G. Edwards and Dennis M. Canario

A-2 SWEARING IN CEREMONY:

- a. Swearing-in of Newly Elected Officials
Town Council, Town Clerk, Judge of Probate, Town Sergeant and Budget Committee
- b. Introduction of Town Clerk, Mrs. Nancy L. Mello

Confirmation of resignation of Justin Katz from Budget Committee

A-3 REGULAR MEETING: (Incoming Town Council):

Mrs. Nancy L. Mello, Town Clerk

- a. Request Newly-Sworn Council Members be Seated
- b. Roll Call of Town Council
- c. Conduct Election of Town Council President

Town Council President:

- a. Election of Vice President
- b. Remarks – Newly Elected Town Council Members

BRIEF RECESS FOR RECEPTION

BUSINESS BROUGHT BEFORE THE COUNCIL

APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will ordinarily 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 and the Town Council President permits, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

A-4 CONSENT AGENDA:

- (C.A.) 1. Receipt of Minutes from the Following Boards, Commissions
 - a. Board of Canvassers (4)
 - b. Cemetery Commission
 - c. Historical Cemeteries Commission (9)
 - d. Tiverton Prevention Coalition

- (C.A.) 2. Correspondence – Receive and File
 - a. Coastal Resource Management Council (CRMC) Alternate Council Member (2019)
 - b. Town of Foster – Resolution – Municipal Taxation on Real Estate (Appeal of Valuation)
 - c. Division of Statewide Planning – State Approval of Tiverton Comprehensive Community Plan

- (C.A.) 3. Approval of Tax Assessor Abatements

- (C.A.) 4. Town Administrator – Department Monthly Reports for October

- (C.A.) 5. Town Administrator – Police and Fire Overtime Reports for October

- (C.A.) 6. Town Planner & A/O – Report of Activities for October

A7- OPEN PUBLIC FORUM – ANNOUNCEMENTS, COMMENTS, QUESTIONS, PRESENTATIONS

B – PUBLIC HEARINGS: ADVERTISED PUBLIC HEARINGS

- Public Hearing to Repeal Zoning Ordinance Article XXIV -Solar Photovoltaic System Developments
- a. Solar Photovoltaic System Development Ordinance
 - b. Tiverton Planning Board Recommendation
 - c. Solicitor DeSisto Memorandum

C. TOWN COUNCIL SITTING AS BOARD OF LICENSING:

C-1 ADVERTISED PUBLIC HEARINGS FOR LICENSE RENEWALS - SUBJECT TO MEETING LEGAL REQUIREMENTS (December 1, 2018 to November 30, 2018)

A. Junkyard and Second Hand Dealer License Renewals December 1, 2018-November 30, 2019 – Subject To Meeting All Legal Requirements

1. Arnold's Auto Parts, 1484 Crandall Road (Lot 612-Card113)
2. General Auto Recycling, Inc., 384 King Road (Lot 602-113)
3. Lagasse Salvage Yard, 20 Cory's Lane (Lot 209-Card 125)
4. Sanford & Son LTD, 104 Cynthia Avenue (Lot 514-Card109)
5. Tiverton Auto Parts, Inc., 533 Bulgarmarsh Road (Lot 501-Card105)
6. Tiverton Auto Parts, Inc., 541 Bulgarmarsh Road (Lot 116 Card 29)
7. Sakonnet Recycling LLC., 413 Bulgarmarsh Road (Lot 410-Card106)

B.Liquor License Renewals – December 1, 2018 to November 30, 2019 – Subject To Meeting All Legal Requirements

CLASS A – Liquor Stores - (\$1000)

1. Chandni, Inc. d/b/a Tiverton Liquors, 65 Main Rd.
2. Nimraj, Inc. d/b/a Crossroad Liquors Inc. 1540 Bulgarmarsh Rd.
3. Smittom Inc. d/b/a Stone Bridge Liquors 2490 Main Rd.

CLASS BV– Full Liquor License - (\$800)

4. Black Goose Company d/b/a Black Goose Café, 2160 Main Rd.
5. Evelyn's Nanaquaket Drive-In, Inc., 2335 Main Rd.
6. Foodworth Inc., dba Atlantic Sports Bar & Restraunt, 70 Shove St.
7. HUEJAN Inc. d/b/a Lil' Bear Sports Lounge, 983 Main Rd.
8. Le Moulin Rouge, Inc., 1403 Main Rd.
9. Michael Napolitano d/b/a Macray's Seafood, 115 Stafford Road
10. Newport Harbor Corp d/b/a The Boat House Restaurant LLC, 227 Schooner Drive
11. Riptide Sports Grille Inc., 1 Bay Street
12. Sakonnet River Grille, 524 Main Rd.
13. Silva Brothers Inc. d/b/a Barcello's Family Restaurant, 1214 Stafford Rd.
14. Spring Restaurant, Inc., 118-120 Main Rd.
15. Susan's Restaurant, 13 Crandall Rd.
16. TRDR, Inc. d/b/a Red Dory Restaurant, 1848 Main Rd
17. Hebertlyrics LLC d/b/a Lyrics Bar and Grill, 4 Stafford Road
18. Everett Lane Inc. d/b/a Family Ties Restaurant, 221 Main Road
19. Faithe J. Bortz d/b/a P. J's Café, 301 State Ave.

CLASS BVL – Limited Liquor License (\$400.)

20. Classic Pizza Inc., 495 Main Rd.
21. Jacky's Galaxie Tiverton, Inc., 777 Tiverton Casino Blvd.
22. Soule-Seabury Associates, Inc. d/b/a Four Corners Grille, 3841 Main Rd.

CLASS BT – Bed and Tavern - (\$800)

23. Senior Lifestyle Sakonnet Bay, LP d/b/a Brookdale Sakonnet Bay 1215 Main Rd.

CLASS D –Unlimited Club Licenses (\$200.)

24. Father Joseph Boehr Columbian Club, Inc. d/b/a Knights of Columbus, 28 Fish Rd.
25. Woodrow L. Silvia Post Home Association, Inc., 134 Shove St.
26. Bayview Holy Ghost Citizens Club, 66 Bottom St.

CLASS B-C – Casino - (\$2,500)

27. Twin River – Tiverton LLC d/b/a Tiverton Casino Hotel, 777 Tiverton Casino Blvd

C. Indoor Shooting Range Renewals

1. Randy Lebeau dba Sakonnet River Outfitters, 777 Main Rd.
2. Tiverton Rod & Gun Club, 1529 Fish Rd.

C-2-NON ADVERTISED PUBLIC HEARINGS FOR LIQUOR LICENSE RENEWALS - SUBJECT TO MEETING

LEGAL REQUIREMENTS (December 1, 2018 to November 30, 2019)

1. Approval of Entertainment Licenses

Atlantic Sports Bar and Restaurant, 70 Shove St.
Bayview Holy Ghost Citizen's Club, 66 Bottom St.
Father Joseph Boehr / Knights of Columbus, 28 Fish Rd
Huejan, Inc. / Lil' Bear Sports Lounge, 983 Main Rd
Riptide Sports Grille Inc. d/b/a Riptide, 1 Bay St
Sandywoods Farm, Inc., 43 Muse Way
Senior Lifestyle /Brookdale Sakonnet Bay LP, 1215 Main Rd.
Susan's Restaurant, Inc., 13 Crandall Rd.

Silva Brothers, Inc./Barcello Family Rest. 1214 Stafford Rd.
Spring Restaurant, 118-120 Main Rd.
VFW/Woodrow L. Silvia, 134 Shove St.
Everett Lane, Inc. / Family Ties Restaurant, 221 Main Rd.
Faithe J. Bortz / P.J's Caf , 301 State Ave.
Hebertlyrics LLC d/b/a Lyrics Bar and Grill, 4 Stafford Rd

2. Tobacco Dealer's Licenses Renewals

CHANDNI Inc. / Tiverton Liquors, 65 Main Rd.
East Lake Variety Inc, 750 East Rd.
Executive Smoke House LLC, 861 Main Rd
Joshua Pavao d/b/a Cigarsmiths, 115 Stafford Rd.
Gray's Ice Cream Inc. 16 East Rd
NIMRAJ d/b/a Crossroad Liquors, 1540 Bulgarmarsh Rd.
RI Yogi LLC / No. Tiverton News, 15 Main Rd.
Rite Aid Corp Store 10235, 677 Main Rd.
Step by Step Convenience Inc, 429 Main Rd

SFS Corp d/b/a Elaine's Country Store, 1204 Fish Rd.
Smitton Inc / Stone Bridge Liquors, 2490 Main Rd.
Three Ducks Car Wash, 400 Main Rd.
Tiverton Convenience Store, dba Stateline Tobacco, 29 Stafford Rd.
Cumberland Farms #1121, 1860 Main Road
CVS Pharmacy Inc #1086, 500 Main Rd
Dolgen Rhode Island LLC dba Dollar General, 567 Main Road
Speedway LLC d/b/a Speedway, 1308 Stafford Rd.

3. Victualling License Renewals

Artemida, LLC d/b/a Dunkin Donuts, 496 Main Rd.
Atlantic Sports Bar & Restaurant, Inc., 70 Shove St.
Black Goose Co., d/b/a Black Goose Caf , 2160 Main Rd
Boat House Restaurant LLC, 227 Schooner Drive
Classic Pizza, Inc., 492 Main Rd.
Country Kitchen-Tiverton Convenience Point Inc., 31 Stafford Rd.
Elaine's Country Store, 1204 Fish Rd
Evelyn's Nanaquaket Drive-In, Inc., 2335 Main Rd.
Famous Pizza, 433 Main Rd.
Father Joseph Boehr Columbian Club, Inc., 28 Fish Rd.
Fu Bing Nan Corp, dba Asian Gourmet, 1715 Stafford Rd.
Gray's Ice Cream, Inc., 16 East Rd.
Helger's Ice Cream, 2490 Main Rd.
HUEJAN INC., d/b/a Lil' Bear Sports Lounge, 983 Main Rd.
Jacky's Galaxie Tiverton, 777 Tiverton Casino Blvd
Lisa Machado, d/b/a Coastal Roasters LLC, 1791 Main Rd.
Kass Sandwich Shop Corp. dba Subway of Tiverton, 1289 Stafford
Le Moulin Rouge Inc., 1403 Main Rd.
Longplex LLC – Sports Kitchen LLC, 300 Industrial Way
Macray's Seafood II Inc., 115 Stafford Rd.
Moose Caf  Inc., 1160 Stafford Road
Mooyah Burgers, 777 Tiverton Casino Blvd
New China Gourmet, 180 Main Rd
Slice of the Pie LLC d/b/a Pie Five, 777 Tiverton Casino Blvd
Provender, Inc., 3883 Main Rd.

Riptide Sports Grille, Inc, 1 Bay Street
Sabitado's Pizzeria, 1204 Fish Rd.
Sakonnet River Grille, 524 Main Rd
Senior Lifestyle Sakonnet Bay LP, dba Brookdale Sakonnet Bay
1215 Main Rd.
Silva Bros Inc., d/b/a Barcello's Family Rest., 1214 Stafford Rd
St.Christopher's Church of Tiverton, 1554 Main Rd.
Soule Seabury Assoc., d/b/a Four Corners Grille, 3841 Main Rd.
Spring Restaurant, Inc., 118-120 Main Rd
St. Theresa's Church, 265 Stafford Rd.
Susan's Restaurant Inc., (Wally's) 13 Crandall Rd
Themie, LLC d/b/a Dunkin Donuts, 1735 Stafford Rd.
Tom's Market of Tiverton, Inc., 492 Main Rd.
TRDR, Inc. d/b/a Red Dory Restaurant, 1848 Main Rd.
V.F.W. Woodrow L. Silvia Post Home Association, Inc
No. 5392, 134 Shove St
All Fresh Donuts Corp. d/b/a Sip N Dip Donuts, 2 Crandall Rd
All Fresh Donuts Corp. d/b/a Sip N Dip Donuts, 499 Main Rd.
Cycology Studio Inc d/b/a Shake Shop, 1701 Stafford Rd
Central Bakery Dev. Corp. dba, Central Bakery 70 Shove St unit3
Everett Lane Inc. d/b/a Family Ties Restaurant, 221 Main Rd.
Hebertlyrics LLC d/b/a/ Lyrics Bar and Grill, 4 Stafford Rd
Speedway LLC dba Speedway, 1308 Stafford Rd.
Faithe J. Bortz, d/b/a P.J.'s Caf , 301 State Ave.

4. Victualling License Renewal – Extension of Business

PP Gastronomie, LLC d/b/a Plouf Plouf Gastronomie, 2490 Main Rd

5. Holiday License Renewals

Aquidneck Fasteners, Inc. 36 Aquidneck Dr.
Bridgeport Seafood Market, 2117 Main Rd.
Coastal Computers, 438 Main Rd.
Cigarsmiths, 115 Stafford Rd.
Courtyards LTD, 3980 Main Rd.
CVS Pharmacy Inc, 1086, 500 Main Rd.
Don's Marine Sales & Service, Inc. 2503 Main Rd.
East Lake Variety Inc. 750 East Rd.
Envy Gymnastics, Inc., 935 Main Road
Euro Gifts LLC d/b/a Fireworks Connection, 34 Main Rd.
The Hose Connection, Inc., 25 Wm S Canning Blvd.
Grays Ice Cream, Inc. 16 East Rd.
Gallery At Four, 3848 Main Rd
Innovative Pools and Spas, 295 Main Rd.
LongPlex LLC, 300 Industrial Way
The Metal Works Corp, 3940 Main Rd.
Glenn Mello d/b/a Mystic Moon, 436 Main Road
Nancy Hemenway dba Cottage at Four Corners, 3847 Main Rd
Nancy Swing d/b/a Natures the Rock Shop 1782 Main Rd.
PD Humphrey Co. Inc, 590 Main Rd.
Phil's Propane, Inc. 477 Crandall Rd.
RAMCO, Rachel McGarty, 1560 Bulgarmarsh Rd
RI Yogi LLC d/b/a North Tiverton News, 15 Main Rd.
Rt. 177 Flea Market, 1560 Bulgarmarsh Rd.

Kayla Couto dba Salt Cycle Studios, 315 Main Rd.
Stafford Auto Sales, 1296 Stafford Rd.
Step by Step Convenience Inc., 429 Main Rd.
Standish Boatyard Inc., 1697 Main Rd.
SFS Corp d/b/a Elaine's Country Store, 1204 Fish Rd
Three Ducks Car Wash & Gas, 400 Main Rd
Tiverton Convenience Point d/b/a State Line Tobacco, 29 Stafford
John D Manchester d/b/a Nanaquaket Nursery Inc, 2970 Main Rd
Tom's Market of Tiverton, Inc., 492 Main Rd.
Walgreen Eastern Co Inc. d/b/a Rite Aid, #10235, 677 Main Rd.
Towne Motor Sales, 109 Main Rd
William S. Sanford, Inc, 367 Bulgarmarsh Rd.
Wilkie Feed, 329 King Rd.
Viti Inc., 975 Fish Road
Silk Road Traders at Gallery 4, 3848 Main Rd.
Speedway, LLC dba Speedway #39211, 1308 Stafford Rd.
Country Auto Sales & Service, Inc, 1230 Stafford Rd.
Cumberland Farms, Inc., #1121, 1860 Main Rd.
Dolgen Rhode Island LLC dba Dollar General, 567 Main Road
Joseph Mello dba Farmer Joes, 1401 Crandall Rd
Michael's Florist, 137 Main Rd

6. Mobile Home-Park License Renewals

Dadson Mobile Home Owners Assoc d/b/a Dadson Mobile Estates, 301 Bulgarmarsh Rd
Four Seasons Mobile Home Cooperative Assoc, 225 Brayton Rd
Heritage Home Park Cooperative Inc, 100 Heritage park
Pachet Brook Park Inc, 4502 Main Rd

7. Manufactured Home Elderly Community License Renewal – Countryview Estates

8. Petroleum Storage License Renewals

Andrew E. Snider, 605 Neck Rd
Dennis Motta d/b/a Danny's Service Station, 99 Crandall Rd
Santa Energy dba Inland Fuel Terminals, 25 State Ave.
SGA Inc., dba George's Gas & Service Station, 1215 Stafford Rd
Three Duck's Gas & Car Wash, 400 Main Rd
Tiverton Public Works, 50 Industrial Way

Phils Propane Inc, 477 Crandall Rd
SK Properties-Kingsfisher Housing Assoc, 40 Alicia Circle
Tiverton Marina d/b/a Standish Boatyard, Inc. 1697 Main Rd
Ferrell Gas Inc, 896 Fish Rd
Speedway LLC dba Speedway #39211, 1308 Stafford Rd.

9. Fireworks License Renewals

East Lake Variety, Inc., 750 East Lake Road
Elaine's Country Store, 1604 Fish Road
Euro Gifts LLC/Firework Connection, 34 Main Road
NIMRAJ Inc/Crossroads Liquors, 1540 Bulgarmarsh Road
RI Yogi LLC d/b/a North Tiverton News, 15 Main Road
RAMCO, 1560 Bulgarmarsh Rd.
Step by Step Convenience Inc. 429 Main Rd
Tiverton Convenience Point Inc., 29 Stafford Road

10. Antique License Renewals

Nancy Walker, d/b/a Artisan Antiques, 2423 Main Road
Mark Faris, dba Second Season Antiques, 1048 Crandall Rd

11. Flea Market License Renewal –Rt. 177 Flea Market, 1560 Bulgarmarsh Road

12. Quarry License Renewal

Charles Coelho-CMC FLP, 1764 Crandall Road

- a. Planning Board Recommendation

D – APPOINTMENTS & RESIGNATIONS:

Appointments

1. Reappointment of William Compton as Administrative Officer to Planning Board
 - d. Recommendation of Planning Board

E – UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS:

G – NEW BUSINESS:

1. Town Solicitor Anthony DeSisto Resignation
2. Town Administrator – Approval of Proposed Agreement with Tiverton Wastewater District re: Lease and Use of Interceptor
3. Approval of National Grid/Verizon Petitions for Joint Pole Locations
DPW Recommendation
4. Town Administrator – Approval/Authorization to Extend Contract with Pare Engineering for Landfill Closure Consulting Services until February 28, 2019
5. DPW Director Rogers – Permission for Auction of Surplus Vehicles
6. Town Administrator – Recommendation and Authorization to Negotiate a Contract with Renewable Energy

H – BIDS AND REQUESTS FOR PROPOSALS

I – TOWN ADMINISTRATOR ANNOUNCEMENTS

J – COUNCIL ANNOUNCEMENTS

K – TOWN SOLICITOR ANNOUNCEMENTS

L- TOWN CLERK ITEMS AND ANNOUNCEMENTS

CLOSED EXECUTIVE SESSION

1. Town Administrator – Potential Litigation – 42-46-5(a)(2)
2. Council President – 42-46-5(a)(2) – Collective Bargaining IBPO and IAFF
3. Town Solicitor – Litigation – 42-46-5(a)(2) - Moore v. Tiverton

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.”