

Town of Tiverton, Rhode Island Town Council Meeting

NOTICE and AGENDA of MEETING

Regular Meeting: Monday, May 24, 2021 at 7:00 p.m.

Notice: In accordance with the guidance provided by the Governor and State and Local emergency management authorities due to the current state of emergency, Town meetings will be conducted solely via internet video conference with telephonic access; there shall be no in-person gathering for this meeting. The Town has set up the following internet video conference and telephonic access capabilities for council members and public participation.

1. Call the toll-free number: 877-853-5247 (audio only) and enter the following information:

MEETING ID: **831 1015 8669**

PASSCODE: **560638**

2. To participate visually (with audio) you will need to log into the following from your computer or smart phone, go to: www.zoom.us

MEETING ID: **831 1015 8669**

PASSCODE: **560638**

Once entered you will be able to view and listen to the meeting. At the appropriate time for public comment the moderator of the meeting will allow you to provide comment at the meeting.

The meeting will also be viewable live at:

<https://www.youtube.com/user/TivertonVideos>

In addition, the public may send written comments via email to publiccomment@tiverton.ri.gov or by regular mail to the Town Clerk at 343 Highland Road, Tiverton, RI 02878 or place in the grey drop box located outside Town Hall by 12:00 noon on Monday, May 24, 2021.

Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 at least forty-eight (48) hours in advance of the meeting.

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."

AGENDA

Regular Meeting: Monday, May 24, 2021 at 7:00 p.m.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

President Denise M. deMedeiros
William J. Vieira
Jay P. Edwards

Vice President Michael S. Burk
Deborah G. Janick

Joseph C. Perry
Donna J. Cook

4. CONSENT AGENDA

All items listed within the Consent Agenda are to be considered routine by 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 for separate consideration later on the agenda.

A. Approval of Town Council Minutes

1. May 10, 2021 – Regular Session
2. May 10, 2021 – Executive Session

B. Acknowledge Receipt of Minutes from Boards/Commissions/Committees

1. Cemetery Commission (1)
2. Historic Preservation Advisory Board (1)
3. Personnel Board (2)
4. Litter Control Committee (1)

C. Acknowledge Receipt of Reports

1. Town Administrator – Departments' Monthly Reports – April 2021
2. Police and Fire Department Overtime Reports – April 2021
3. Treasurer Saurette – April 2021 Budget and Revenue Reports

D. Acknowledge Receipt of Correspondence

1. Town of Smithfield – Resolution in Support of a H-5193 - Moratorium on the Expansion of Charter Schools
2. Town of Warren – Resolution declaring “Hate Has No Home in Warren”
3. Town of Barrington – Resolution in support of Legalization of Adult Recreation Use Marijuana
4. Town of Barrington – Resolution in support of Local Control of Tobacco Policies – H-5633 and S-258
5. Town of Barrington – Proclamation Declaring Friday, June 4, 2021 to be National Gun Violence Awareness Day
6. Anonymous - Short term rentals

5. PUBLIC COMMENTS REGARDING A COUNCIL AGENDA ITEM OR OTHER TOWN BUSINESS

- A. Comments received

6. PUBLIC HEARINGS (ADVERTISED)

- A. Approval of proposed amendment to Tiverton Code of Ordinances - Chapter 2 Administration, Section 2.1 – Fees and fines for Beach Parking Fees
- B. Stephanie Peter and Rob Farraher, Roslindale, MA - Request approval of sound variance for wedding on July 24, 2021 from 5 pm to 10 pm at 20 Fogland Road - Subject to meeting all legal requirements
- C. Joy Nightingale and Eric Mundorf, 30 Island View Drive - Request approval of sound variance for wedding on September 25, 2021 from 2:30 pm to 9 pm - Subject to meeting all legal requirements

7. BOARD OF LICENSING

- A. Mike Napolitano/Del's Lemonade Tiverton/Little Compton, 115 Stafford Road - Request Approval of Victualling License
- B. Peter M. Kelly/Pete's Ice Cream, 115 Heritage Park - Request Approval of Peddlers/Hawkers License for mobile ice cream truck
- C. Michael J. Roderick, 264 Bulgarmarsh Road – Requesting Special Event Permit for the 4th Annual “Courtney Roderick Run for Recovery” 5K Run/Walk Event - July 24, 2021 (rain date July 25, 2021) from 8-10 am. Start and finish at Grinnell's Beach
- D. William R. Silvia, K9 Memorial Park – Requesting Special Event Permit for 1st Annual K9 Memorial Park 5K Run/Walk Event – June 6, 2021 from 8-12pm. Start and finish at Boat House Restaurant

8. APPOINTMENTS AND RESIGNATIONS

- A. Cemetery Commission – (5) Member Board - (3) Year Terms - (1) Vacancy (Cont. from 5/10/2021)
 - 1. Eva Duclos, 75 Lewis Avenue - Request re-appointment to expire 4/15/2024
 - 2. Dana Coute, 3 Whitetail Lane - Request new appointment to expire 4/15/2024
- B. Acknowledgement of resignation – Liz Cottrell from the Raymond Jones Dog Park effective May 10, 2021

9. GENERAL BUSINESS

- A. Councilor Burk – Presentation by Stephanie Federico, Vice President for Government and Public Affairs, and Stephen Iannazzi, Director for Government Affairs, Cox Communications, Northeast Region
- B. DPW Director Rogers – Discussion and possible vote on request for permission to advertise for Bids For Bituminous Concrete Crusher Rental

C. DPW Director Rogers – Discussion and possible votes on request to extend FY20 Bid Awards to FY 22

1. Bituminous Paving
2. Catch Basin Frames & Grates
3. Crack Sealing
4. Daily Landfill Cover
5. Diesel Fuel & Unleaded Gasoline
6. Guardrail Installation
7. HDPE Pipe
8. Line Painting
9. OWTS Inspections
10. Road Materials
11. Septic Tank Pumping

D. Recreation Chair Gilfillen – Discussion relative to request for funding Security system/weather station at Fogland Beach

E. Recreation Chair Gilfillen – Discussion relative to request for funding to replace Fogland Beach playground equipment

F. Recreation Commission Chair Gilfillen – Discussion and possible vote on establishment of restricted funds account for revenue associated with season parking pass sales (Cont. from 5/10/2021)

G. Town Administrator Cotta/Treasurer Denise Saurette – Discussion and possible votes on potential solutions to resolve FY22 Levy over 4% (Cont. from 5/24/2021)

H. Councilor deMedeiros – Discussion and possible votes on Town Council Budget Resolutions

I. Town Administrator Cotta - Discussion relative to Bob Lantz/Bill's Sales Industrial Park land purchase/ Planning Board delays

J. Town Administrator Cotta– Discussion and possible votes on fees for Newport Chamber of Commerce and Connect Greater Newport membership

K. Town Solicitor Marcello – Discussion and review of various options for Short Term Rental ordinance

L. Town Clerk Chabot– Discussion and possible vote on ratification of one-year extension of Avenu Enterprise Solutions, LLC Contract for Land Evidence, Probate Microfilming, Storage and Recording

10. ANNOUNCEMENTS/COMMENTS/DISCUSSIONS

A. Town Clerk - Scheduling of joint meeting of the Town Council, Planning Board, Zoning Board of Review and the Economic Development Commission – targeting Thursday June 10, 2021

- B. Sergeant John Leduc/Kristen Morrissette/Stu Gilfillen – Child Safety Day
- C. Town Solicitor – Update on Open Meetings Act regarding hybrid meetings

11. CLOSED EXECUTIVE SESSION

- A. Town Administrator – RIGL 42-46-5(a)(2) – Closed session related potential litigation regarding the revaluation/appraisal of the Tiverton power plant, Revere Power, LLC.
- B. Town Administrator – RIGL 42-46-5(a)(2) – Closed session related potential litigation regarding the revaluation/appraisal of Twin River – Tiverton
- C. Councilor Cook – Potential Litigation RIGL 42-46-5(a)(2) - Litigation strategy and legal options related to withholding of minimum revenue payment from State of Rhode Island
- D. Town Administrator – RIGL 42-46-5(a)(2) – Collective Bargaining - IBPO

12. ADJOURNMENT