

Town of Tiverton, Rhode Island

Town Council Meeting

NOTICE and AGENDA

Regular Meeting: Monday, April 11, 2022, at 7:00 p.m.

Tiverton Town Hall
343 Highland Road
Tiverton, Rhode Island 02878

Notice: This meeting is IN PERSON only.

The meeting will also be viewable live at: www.youtube.com/user/TivertonVideos

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 a 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."

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, February 14, 2022.

Date posted: 4/7/2022

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. March 28, 2022 – Regular Meeting (Councilor Perry and deMedeiros abstain, absent)

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

1. Harbor Commission (2)
2. Open Space Commission (1)
3. Dog Park Advisory (1)
4. FTR and Personnel Changes Advisory Subcommittee (2)
5. Planning Board (3)
6. Board of Canvassers (1)
7. Recreation and Beach (2)

C. Acknowledge Receipt of Reports

1. Town Administrator – Departments' Monthly Reports – March 2022
2. Town Administrator – Police and Fire Department Overtime Reports – March 2022
3. Jennifer Siciliano, Town Planner and Administrative Officer – Report of Activities of Planning Department and Planning Board for March, 2022
4. Boards & Commissions 2021 Annual Reports
 - a. Open Space and Land Preservation Commission
 - b. Zoning Board of Review and Planning Appeals

D. Acknowledge Receipt of Correspondence

1. Tiverton Conservation Commission – Letter related to HB 7064 and other litter related topics
2. City of Woonsocket - Resolution in opposition of S-2557 and H-7829
3. Town of Burrillville – Resolution in opposition to S-2244 and H-7198
4. John Moran – correspondence relative to street light replacement on Riverside Drive
5. Tiverton Dog Park Advisory Committee – Letter regarding committee membership

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

A. Comments received:

6. PUBLIC HEARINGS (ADVERTISED) – Discussion and possible votes

A. Sakonnet River Outfitters/Patricia Runci - Approval to change hours of operation

From: Monday-Friday 12pm-9pm, Saturday 10am-9pm and Sunday 9am-5pm

To: Monday - Sunday 9am-9pm

B. Portsmouth-Tiverton Rotary Club/Sharlene Patton - Approval of sound variance for 64th Annual

Father's Day Car Show at Longplex Sports Center, 300 Industrial Way on June 19, 2022, from 8 am to 5 pm and approval of special event permit (non-advertised) [cont. from 2/28/2022]

7. APPOINTMENTS AND RESIGNATIONS – Discussion and possible votes

A. Acknowledgement of resignation/retirement:

1. Judith A. Jones from Budget Committee, effective March 24, 2022
2. Susan Gill as Chairman from Tiverton Planning Board, effective March 30, 2022
3. Marc C. Pfeiffer from Economic Development Commission, effective March 31, 2022
4. Kelly A. Levesque, Town Sergeant – resignation effective April 6, 2022
5. Garry Plunkett, Open Space and Land Preservation Commission - retirement

- 6. Sean Frodyma, Open Space and Land Preservation Commission – retirement
- 7. Sean Frodyma, Conservation Commission – retirement
- 8. Peter Moniz, Tree Commission – retirement

- B. Arts Committee - (5) Member Board (2) Year Terms (2) Vacancies
 - 1. James W. Pelletier, 104 Bonniefield Drive – Requests re-appointment, term ending 4/15/2024

- C. Open Space and Land Preservation Commission - (9) Member Board (3) Year Terms (4) Vacancies
 - 1. Brian Janes, 286 Seapowet Ave. - Requests re-appointment, term ending 4/15/2025
 - 2. Raphael Wechsler, 91 Penny Pond Road - Requests appointment, term ending 4/15/2025

- D. Conservation Commission - (7) Member Board (3) Year Terms (2) Vacancies
 - 1. Constance Fleckenstein, 55 Cottage Avenue - Requests re-appointment, term ending 4/15/2025

- E. Cemetery Commission - (5) Member Board (3) Year Terms (1) Vacancy
 - 1. John S. Christo, 48 Canonicus Street - Requests re-appointment, term ending 4/15/2025

- F. Historical Cemeteries Commission - (5) Member Board (3) Year Terms (1) Vacancy
 - 1. Thomas L. Snell, 245 King Road - Requests re-appointment, term ending 4/15/2025
 - 2. Vicki Richman, 327 Village Road – Requests appointment, term ending 4/15/2025

- G. Recreation Commission - (7) Member Board (3) Year Terms (4) Vacancies
 - 1. Stuart Gilfillen, 5 Highland Road - Requests re-appointment, term ending 4/15/2025
 - 2. Robert Sedoma, 19 Bayview Avenue - Requests re-appointment, term ending 4/15/2025
 - 3. Dana Coute, 3 White Tail Ln - Requests re-appointment, term ending 4/15/2025
 - 4. Dan Bossolt, 196 Stoney Hollow - Requests re-appointment, term ending 4/15/2025

8. GENERAL BUSINESS

- A. Councilor deMedeiros – Abigail Estates – Discussion and possible vote regarding the acceptance of Abigail Estates Subdivision Open Space Lot Conservation Easement and Declaration of Restrictive Covenants

- B. Councilor Cook - Discussion and possible vote on Resolution in opposition of S-2244 and H-7198

- C. Administrator Cotta - Discussion and possible vote to authorize the signing of Teva and Allergan Opioid Settlements

- D. Administrator Cotta – Discussion and possible vote to approve budget transfers
 - 1. \$2,000 from Acct 3310-6925 State Mandated EMT Training to Acct 3310-7530 Software Maintenance
 - 2. \$2,000 from Acct 3310-6928 Firefighter Training to Acct 3310-7530 Software Maintenance
 - 3. \$2,571.36 from Acct 8830-5181 Seasonal (parks) employees to Acct 8790-6690 Misc Beach Operating Supplies)

- E. Councilor deMedeiros – Discussion and possible votes on potential Town Council Budget Resolutions
 - 1. Tiverton Industrial Park proceeds
 - 2. Real Estate Conveyance Tax funds for Open Space

- 3. Unexpended Municipal Expense Appropriation transfer
- 4. Reserve funds from Unassigned General Fund in case Safer Grant not approved

- F. Councilor Cook - Discussion and possible vote to consider allocating ARPA funds to buy historic site markers to promote awareness of the Town's historic areas

- G. Councilor Edwards – Discussion and possible vote on Town Council Grant Application Policy for Tiverton Ordinance Section 2-108 (d) Implementation of Ordinance

- H. Stuart Gilfillen, Recreation – Discussion and possible vote to approve funds to advertise 2022 Beach Fees proposal for Public Hearing on April 25, 2022

- I. Stuart Gilfillen, Recreation – Discussion and possible vote to approve funds to advertise Tiverton Code of Ordinance amendment to Section 53-30 General rules applicable to all recreation and open space areas for Public Hearing on May 23, 2022

- J. Stuart Gilfillen, Recreation – Discussion and possible vote to approve funds to advertise Tiverton Code of Ordinance Chapter 42 - FIRE PREVENTION AND PROTECTION, ARTICLE II. - OPEN BURNING, Section 42-44 Firepits on town-owned beaches for Public Hearing on May 23, 2022

- K. Stuart Gilfillen, Recreation – Discussion and possible vote regarding Recreations Summer event: Tiverton Celebrates Parade

9. ANNOUNCEMENTS/COMMENTS/DISCUSSIONS

- A. Town Clerk – Update on Tiverton Reprecincting Plan, Financial Town Referendum and Ethics Training/Filing reminder.

10. CLOSED EXECUTIVE SESSION

- A. Town Administrator - RIGL 42-46-5(a)(5) – Discussion and possible vote on disposition of publicly held property in the Tiverton Industrial Park

- B. Council President/Town Administrator –RIGL 42-46-5(a)(2) Collective Bargaining – Update on IAFF Local 1703 negotiations and arbitration

- C. Town Solicitor – RIGL 42-46-5(a)(2) – Town of Tiverton v. Raymond Johnson, NC-2009-663; Town of Tiverton v. Camaco Holdings, LLC and Raymond E. Johnson, NC-2017-384; Camaco Holdings, LLC and Raymond Johnson v. Zoning Board of Review, PC-2018-5254 – Update and status.

- D. Town Solicitor – RIGL 42-46-5(a)(2) – Appeal of Rosalind Weir, PO Box 98 Adamsville, RI. 02801/Four Corners Properties, LLC, 28 East Road (Plat 706-Lot 111) from a decision and violation notice issued by the Building Official/Zoning Official and affirmed by the Zoning Board of Appeals at its April 6, 2022 – Potential Litigation.”

11. ADJOURNMENT