

# **Town of Tiverton, Rhode Island Town Council Meeting**

## **NOTICE and AGENDA**

**Regular Meeting: Tuesday, October 10, 2023, 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](https://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): "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 by regular mail to the Town Clerk at 343 Highland Road, Tiverton, RI 02878, or place them in the grey drop box located outside Town Hall by noon on Tuesday, October 10, 2023.

**Date Posted: October 5, 2023**

### **1. CALL TO ORDER**

### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

### **3. ROLL CALL**

President Denise M. deMedeiros  
Deborah G. Janick

Vice President Michael S. Burk  
Jay P. Edwards

John G. Edwards V  
Dennis J. Milbourne

### **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. September 26 – Regular Meeting
2. September 26 – Executive Session

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

1. Personnel Board – (3)

2. Zoning Board of Review – (2)
3. Economic Development Commission – (1)
4. Dog Park Advisory Committee – (1)
5. Litter Control Committee – (1)
6. Zoning Revision Committee – (1)
7. Historic Preservation Advisory Board – (1)

C. Acknowledge Receipt of Reports

1. Town Administrator – Departments' Monthly Reports – September 2023
2. Town Administrator – Police and Fire Department Overtime Reports – September 2023

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

**6. APPOINTMENTS & RESIGNATIONS– Discussion and possible votes**

- A. Newport and Bristol County Convention and Visitors' Bureau per RIGL 42-105-2 (v)  
(1) Tiverton representative, (3) Year Terms, (1) Vacancy, Term ending 9/30/2026  
1. Meredith Brower, 930 Puncatest Neck Road – Requests re-appointment
- B. Planning Board - (9) Member Board (3) Year Terms (2) Vacancies,  
Term ending 7/15/2024 (1), Term ending 7/15/2026 (1)  
1. Christopher Shriver, 113 Fir Avenue – Requests re-appointment  
2. Adam Rapoza, 31 Carpenter Street – Requests re-appointment  
3. V.A. Lopes, 267 Deer Run Road – Requests appointment
- C. Economic Development Commission - (5) Member Board (4) Year Terms (1) Vacancy,  
Term ending 7/15/2027  
1. V.A. Lopes, 267 Deer Run Road – Requests appointment  
2. Scott Burns, 117 Neck Road – Request appointment
- D. Harbor Commission - (9) Member Board (2) Year Terms (2) Vacancies, Terms ending 7/15/2025  
1. Christopher Shriver, 113 Fir Avenue – Requests re-appointment

**7. GENERAL BUSINESS**

- A. Councilor Edwards V – Discussion regarding Casino Gaming Revenue shortfall FY2022 & FY2023
- B. Councilor Burk – Clarification regarding Tiverton Public Library property responsibility
- C. Town Administrator – Report from Police and Fire Department on Public Safety Report for Bally's Tiverton Casino during 2022 and year-to-date 2023
- D. DPW Director Rogers – Discussion and possible vote on funding to clean and video town owned/maintained sewer lines for \$45,000
- E. DPW Director Rogers – Discussion and possible vote to approve the Rhode Island Department of Transportation Municipal Road & Bridge Program (MRBP) agreement

- F. DPW Director Rogers – Discussion and possible vote on funding for asphalt paving for \$750,000 in light of state matching program
- G. Councilor Edwards/Solicitor Romano – Update on Abigail Estates
- H. Councilor Edwards – Discussion and possible vote to approve funding to advertise a public hearing related to Zoning and Subdivision Regulations per required changes in state law and set the schedule for public hearing
- J. Council President deMedeiros – Discussion and possible vote to advertise for open Town Council Position per Home Rule Charter Section 202
- K. Town Administrator – Discussion and possible vote to approve the development of a scope of work by Weston & Sampson Engineers, Inc. for work with the North End and Industrial/Business Park Subcommittee and for work to amend Zoning and Subdivision Regulations per required changes in state law
- L. Town Administrator – Discussion and possible vote to approve Budget transfer requests for Fiscal Year 2022- 2023
  - a. \$29,308.10 from Acct 1020-6890 TC Contingency to Acct 1050-7159 Litigation
  - b. \$10,944.00 from Acct 1020-6890 TC Contingency to Acct 1050-7191 Labor Counsel
  - c. \$2,490.70 from Acct 1020-6890 TC Contingency to Acct 1080-7140 Public Stenographer
  - d. \$9,072.21 from Acct 1020-6890 TC Contingency to Acct 1120-7590 Computer Service
  - e. \$2,984.24 from Acct 2190-5268 Active Health Insurance to Acct 2190-5269 Retired Health Ins.
  - f. \$7,813.64 from Acct 2190-7925 Workmen’s Comp Insurance to Acct 2190-7920 Liability Ins.
  - g. \$5,290.59 from Acct 3330-5108 TPD Longevity to Acct 3330-6648 Tires, Parts & Maintenance
  - h. \$12,400.00 from Acct 3330-5101 TPD Personnel Salaries to Acct 3330-7999 Resource Officer School

## 8. EXECUTIVE SESSION

- A. Town Administrator - RIGL 42-46-5(a)(5) Discussion related to the acquisition or lease or purchase of real property for public purposes where the early disclosure would be detrimental to the public interest
- B. Town Administrator – RIGL 42-46-5(a)(2) Session pertaining to collective bargaining or litigation and/or RIGL 42-46-5(a)(4), Any investigative proceeding regarding allegations of misconduct, either civil or criminal. These pertain to the Town’s firefighters.
- C. Town Administrator – RIGL 42-46-5(a)(5) Discussion related to the sale of publicly held property in the Tiverton Industrial Park and related to a prospective business located in the state/town where an open meeting would be detrimental effect on the interests of the public.
- D. Town Solicitor – RIGL 42-46-5(a)(2) Litigation: Highland Ridge Farm, LLC v. Town of Tiverton, et al. (NC-2023-260) discussion and possible vote to authorize the solicitor to negotiate and enter into a temporary agreement regarding stay of enforcement
- E. Town Solicitor – RIGL 42-46-5(a)(2) Litigation: Sakonnet Partners LLC v. Tiverton Zoning Board (NC 2023-0337) Discussion and update of appeal filed by the plaintiff related to the denial of the development plan review of Crematorium at 730 Main Road Tiverton, RI.

## 9. ADJOURNMENT