

# Town of Tiverton, Rhode Island

## Town Council Meeting

### NOTICE and AGENDA

Regular Meeting: Monday, June 13, 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](http://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](mailto:publiccomment@tiverton.ri.gov) or 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 Monday, June 13, 2022.

**Date Posted: June 9, 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. May 23, 2022 – Regular Meeting (Councilors Perry and Vieira abstain, absent)
2. May 23, 2022 – Executive Session (Councilors Perry and Vieira abstain, absent)

3. June 6, 2022 – Special Meeting (Councilor Perry abstain, absent)
4. June 6, 2022 – Special Executive Session (Councilor Perry abstain, absent)

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

1. Economic Development Commission (3)
2. Historic Preservation Advisory Board (3)
3. Dog Park Advisory Committee (1)
4. Solar Advisory Committee (3)
5. Board of Canvassers (1)
6. Financial Town Hearing (1)
7. FTR & Personnel Changes Advisory Subcommittee (5)

C. Acknowledge Receipt of Reports

1. Town Administrator – Departments’ Monthly Reports – May 2022
2. Town Administrator – Police and Fire Department Overtime Reports – May 2022

D. Acknowledge Receipt of Correspondence

1. Paul A. Roselli/Rhode Island Association of Conservation Commissions – letter encouraging Conservation Commission and/or Tree Warden to attend the Land and Water Conservation Summit
2. Receipt of Treasurer’s Warrant
3. Town Administrator response letter to Annette Ferrell questions related to Abigale Estates
4. Vicki Richman – letter in opposition to proposed Seasons gas station – referred to Planning Board
5. Gayle Lawrence - letter in opposition to proposed Seasons gas station – referred to Planning Board
6. Vicki Revier/Litter Committee – letter to recognize DPW efforts on behalf of the Litter Committee

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

- A. Comments received: None

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

- A. Arts and Artisan Festival/Alyssa Wood - Consideration of sound variance for Arts and Artisan Festival at Mill Pond Shops @ Tiverton Four Corners, 3980 Main Road on July 16, 2022, from 10:00 am to 4:00 pm and request approval of special event permit (cont. from 5/23/2022)
- B. Anna Duncan and Matthew Ferrara – Consideration of sound variance for a wedding at 86 Indian Point Road on September 24, 2022, from 4:30 pm to 10:00 pm, and request approval of a special event permit
- C. Recreation Commission/Chair Stuart Gilfillen - Consideration of sound variance for Tiverton Summer Concert Series at Bulgarmarsh Park Pavilion on July 14, 21, 28 & August 5, 12, 19, 2022, (rain date August 25) from 5:30 pm to 9:00 pm and request approval of a special event permit
- D. Consideration of the proposed amendment to Tiverton Code of Ordinance Chapter 78 Traffic and Vehicles, Section 78-61 Nonresidential parking penalties for violation of article and Section 78-85 Parking prohibited between 10:00 p.m. and sunrise

- E. Consideration of the proposed amendment to Tiverton Code of Ordinances - Chapter 78 – Traffic and Vehicles Section 78-37(f) Stop Streets regarding Lyne Road, No. Christopher Road and So. Christopher Road as recommended by the Police Department
- F. Consideration of the proposal to rename Spruce Street, Maple Street, Highland Street, Hemlock Street and Beach Street as recommended by the Planning Board

## **7. BOARD OF LICENSING– Discussion and possible vote**

- A. John Cordeiro/Megan L. Cordeiro Memorial Foundation – Request Special Event approval for the 14th Annual Miles for Megan Bike Ride/Walk Event on September 24, 2022, from 7:00 am to 3:00 pm, subject to meeting all legal requirements

## **8. APPOINTMENTS AND RESIGNATIONS – Discussion and possible votes**

- A. Dog Park Advisory Committee - (11) Member Board (2) Year Terms (11) Vacancies
  1. Richard Segel, 97 Myrtle Way - Requests re-appointment, term ending 3/28/2024
  2. Paul Anderson, 18 Olympia Avenue - Requests re-appointment, term ending 3/28/2024
  3. Joanna Krystman, 18 Olympia Avenue - Requests re-appointment, term ending 3/28/2024
  4. Melissa Quinlan, 25 Garden Avenue – Requests re-appointment, term ending 3/28/2024
  5. David Paull, 175 Warren Avenue - Requests re-appointment, term ending 3/28/2024
  6. Kim Sutherland, 199 Furey Avenue - Requests re-appointment, term ending 3/28/2024
  7. Robert K. Sutherland, 199 Furey Avenue - Requests re-appointment, term ending 3/28/2024

## **9. GENERAL BUSINESS**

- A. Councilor Edwards/Solar Ordinance Advisory Committee – Discussion and possible vote to extend draft solar ordinance submission date from 6/13/2022 to 8/1/2022 and discussion of a joint meeting with Planning Board
- B. Town Administrator – Discussion and possible vote to approve budget transfers:
  1. \$6,486 from Acct 3310-5101 Fire Personnel/Base Salary to Acct 3310-7322 Personal & Protective Gear
  2. \$1,170 from Acct 3310-6922 Educational Allowance to Acct 3310-7322 Personal & Protective Gear
  3. \$2,344 from Acct 3310-6928 Firefighters Training to Acct 3310-7322 Personal & Protective Gear
  4. \$42,000 from Acct 3310-5101 Fire Personnel/Base Salary to Acct 3310-5104 Overtime
  5. \$6,486 from Fund #460 APRA Ladder Training to Acct 3310-5101 Fire Personnel/Base Salary
- C. DPW Director Rogers – Discussion and possible vote to approve budget transfers:
  1. \$4,000 from Acct 5540-5101 DPW Maint Workers to Acct 5540-7325 Highway Signs
  2. \$400 from Acct 5530-6912 Landfill Elect & Propane to Acct 5530-5104 Landfill Overtime
  3. \$8,000 from Acct 5540-5101 DPW Maint Workers to Acct 5530-7611 Landfill Gas & Motor Oil
  4. \$8,000 from Acct 5540-5101 DPW Maint Workers to Acct 5500-6457 Rubbish/Recyc Services
  5. \$5,700 from Acct 5130-5180 Maint/Labor Seasonal to Acct 5500-6457 Rubbish/Recyc Services
  6. \$300 from Acct 5130-5180 Maint/Labor Seasonal to Acct 5130-6690 Maint Repairs, Tires, Exp
  7. \$800 from Acct 5130-5180 Maint/Labor Seasonal to Acct 5130-7611 Maint Gas & Motor Oil
- D. DPW Director Rogers - Discussion and possible vote to award the contract to Dennis K. Burke, Inc. for the FY23 Fuel Bid – Unleaded gasoline & clear ultra-sulfur diesel

- E. DPW Director Rogers – Discussion and possible vote to advertise for Bituminous Concrete Crusher rental for FY23
- F. Town Administrator – Discussion and possible vote to approve delayed Other Post-Employment Benefits (OPEB) contributions for FY2021 (\$100,000) and FY 2022 (\$100,000) for a total of \$200,000 from American Recovery Funds (ARPA)
- G. Recreation Commission/Chair Stuart Gilfillen – Discussion and possible vote to approve funding for the purchase of a gatehouse for Fogland Beach using grant and American Recovery (ARPA) funds
- H. Councilor Cook – Follow up discussion re: letters sent to Council by Town of Hopkinton re: Solar Energy Proposed Legislation HB 6676 relating to Taxation-Levy and Assessment of Local Taxes and their opposition
- I. Councilor Cook – Update on results of the adoption of the Resolution for Coastal Buffer Zone to Allow for Aquaculture and Minimize Conflicting Uses
  - 1. Discussion and possible vote on a resolution to support House Bill 8244 (cont. from 5/23/22)
  - 2. Discussion and possible vote regarding Rep. Edward’s suggestions and actions for the Council to pursue in letter
- J. Councilor Burk – Discussion and possible vote to set a public hearing date on the proposed Charter amendments for Article III Financial Town Referendum and to approve funds to advertise a public hearing

## **10. CLOSED EXECUTIVE SESSION**

- A. Town Solicitor – RIGL 42-46-5(a)(2) Litigation - Update on Case No. PM-2022-02436 Twin River-Tiverton LLC v. Town of Tiverton by and through David Robert, RICA as Tax Assessor
- B. Town Administrator - RIGL 42-46-5(a)(5) – Discussion and possible vote on the disposition of publicly held property in the Tiverton Industrial Park
- C. Town Solicitor – RIGL 42-46-5(a)(2) - General update on all pending litigation
- D. Town Solicitor – RIGL 42-46-5(a)(2) Litigation – Update on Case No. NC-2021-0201, Northborough Realty Holdings, LLC v. Tiverton Zoning Board of Review Sitting as the Board of Appeals.

## **11. ADJOURNMENT**