

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007**

PRESENT: Marshall, Cordeiro, Parella, Barboza and Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator  
Andrew Teitz, Assistant Town Solicitor  
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, January 10, 2007 in the Town Hall, Council Chambers, beginning at 7:04 o'clock PM, Council Chairman Marshall presiding:

**SPECIAL PRESENTATION:**

Prior to the commencement of this evening's regular agenda, the Council presented Commendations to Chief Warrant Officer Joseph P. Alfano, Captain Stephen Guertin, and Staff Sergeant Ron Roscoe; all of whom have recently returned to Bristol from tours of duty in the Middle-East.

Speaking for the group, Capt. Guertin expressed his appreciation for this special recognition.

**Council Chairman Marshall re Encephalitis Concerns - School Department Presentation**

Also, prior to the commencement of the regular agenda, Council Chairman Marshall noted that he has been in contact with School Superintendent Edward Mara and that Dr. Mara informs him that the department is taking every precaution and closely monitoring the situation related to the infectious diseases recently observed in other Rhode Island schools.

He introduced Melinda Thies, School District Assistant Superintendent and asked her to provide a report.

Supt. Thies explained that the State has provided, and the District has installed, anti-bacterial gel in the Middle and High Schools and two hundred (200) dispensers, each with the capacity of one (1) liter of gel, have been mounted.

She also noted that the district is investigating any and all absences in order to determine if these might be the result of a serious disease. Parents are asked to inform the District administration, within legal privacy guidelines, the reason for the absence, a diagnosis of any illness, and whether or not the child was examined by a physician.

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Council Chairman Marshall thanked Supt. Thies for her information and suggested that she may wish to use the Council meeting for a similar forum in the future.

Councilman Barboza informed those present that the anti-bacterial gel "Purell" is the "best stuff in the world" to combat the transference of infection.

Councilman Herreshoff commended Supt. Thies for the District's preventive measures and asked if the School District had a specific plan of action should an outbreak occur. Supt. Thies responded that Superintendent Mara is following the guidelines as defined by the State.

Also prior to the commencement of the regular agenda, Council Chairman Marshall noted that the East Bay Community Development Corporation was in receipt of a grant to support the acquisition of a new transport vehicle for its Franklin Court residents.

Councilman Barboza explained that this grant was derived in recognition of the CDC's work as "Champions in Action" and he congratulated the organizations volunteer board of directors as well as Executive Director Kathleen Bazinet upon their good work and the receipt of this precious award.

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

Cordeiro/Herreshoff - Voted unanimously to approve the Consent Agenda withholding items R1, R4, and R19 at the request of Council Chairman Marshall for further consideration.

**A. SUBMISSION OF MINUTES OF PREVIOUS MEETING**

1. Town Council Meeting - December 20, 2006

Cordeiro/Herreshoff - Voted unanimously to approve these minutes as presented.

2. Town Council Budget Workshop - March 23, 2006

Cordeiro/Herreshoff - Voted unanimously to approve these minutes as presented.

3. Town Council Workshop - March 27, 2006

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Cordeiro/Herreshoff - Voted  
unanimously to approve these  
minutes as presented.

4. Town Council Interview Workshop - January 3,  
2007

Cordeiro/Herreshoff - Voted  
unanimously to approve these  
minutes as presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Motion to receive and place these items on file per action  
taken on the consent agenda.

1. Personnel Board - August 15, 2006
2. Personnel Board - December 11, 2006
3. Harbor Commission- December 4, 2006
4. Bristol Warren Regional School Committee -  
November 27, 2006
5. Bristol Warren Regional School Committee -  
December 5, 2006
6. Rogers Free Library Capital Project Committee  
- November 16, 2006

B. OLD BUSINESS

1. Dom Franco, Chairman, Bristol Harbor  
Commission re Harbor Safety Policy, continued  
from November 15, 2006

Barboza/Cordeiro - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Herreshoff stated that  
he had not yet spoken with the parties regarding this policy  
and asked for additional time to do so.

Councilman Barboza observed that the correspondence from  
Harbor Commission appears to indicate that the Commission  
was taking action on this matter. He also noted that he, as  
liaison, had attended a recent meeting of the commissioners  
and determined that there "was nothing more to be done" in  
this case.

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Councilman Herreshoff stated that his concerns have not been abated and he suggested that it was his intention to bring this matter forward. He further stated that the subject thunder-storm was predictable and that the interested parties should pay close attention to weather reports.

Councilman Barboza stated that he was of the opinion that the Commission understood Councilman Herreshoff's concern and that the Commission takes these concerns seriously.

In a related matter, Council Chairman Marshall suggested that the Harbor Commission might present the Council with a "wish-list" for harbor improvements. Councilman Barboza stated that the Commission needs a five (5) year improvement plan and should submit such a plan to the Council for its consideration.

2. Susan C. Church, Staff Assistant, Historic District Commission re requirement of HDC regarding proposed remodeling and new construction at Colt-Andrews School, continued from December 20, 2006
  - a. Council Clerk Cirillo to William Estrella, Chairman, Bristol Warren Regional School Committee re HDC requirements
  - b. Supt. Mara to Diane Williamson email re progress on Colt/Andrews project
  - LATE ITEM** c. William Estrella, Chairman Bristol Warren Regional School Committee re Colt/Andrews Building Project

Parella/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Marjorie McBride, a member of the School Committee, apologized to the Council and all those concerned for any misunderstanding since the Committee has not yet gone out to bid, but stated that the Committee is "almost there."

Ms. McBride also explained that the plans for the Colt and Andrews schools have been initially reviewed by the State Historical Preservation and Heritage Commission and that the Committee has been in contact with the State Commission particularly as it relates to the Colt School.

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She further noted that the architect will be "done" in three weeks and the plans will be first approved by the School Committee and presented to the "neighborhood." She explained that once this is accomplished, the building committee will meet with the Council and then will take the design to the "boards."

Ms. McBride stated that the plan to receive the approval of the State first was suggested to the building committee by Ed Cifune, Chairman of the town Historic District Commission.

Ms. McBride also noted that the building committee found "major issues" with the Georgia marble incorporated into the exterior of the Colt Memorial building and that the committee plans to repair some of these problems and will "net" the others in order to protect these from further damage and abate any safety concerns.

Ms. McBride explained that the committee plans to preserve the bookcases on the third floor of the Colt building and to reinstall skylights in the roof.

Council Chairman Marshall asked Ms. McBride to send to the Clerk copies of all correspondence related to the project for the Council's information. Ms. McBride agreed to comply with this request. She also noted that she is the "point person" for the project.

Councilman Herreshoff noted that he was pleased to received information regarding the details of the project and asked if the building committee was planning renovations to the Colt auditorium and balcony with Ms. McBride explaining that this portion of the project will be considered as an "add alternate" to the base bid.

She further explained that the base plan includes provisions for lighting and wiring inside the walls but that the finish portion of the bid will be an add-alternate.

She also stated that the committee was investigating air-conditioning for the building.

Councilman Herreshoff asked if the plan for the addition to the Andrews Memorial School would be 'architecturally compatible' with the Andrews School with Ms. McBride stating that the architect was presenting several roof schemes. She also noted that the committee is moving "slowly and cautiously" so as to facilitate a problem-free approval process.

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A discussion ensued regarding the expansion of the Colt auditorium so as to accommodate community theater with Councilwoman Parella stating that she was of the opinion that the auditorium will require an addition to accommodate this use.

Ms. McBride informed the Council that the school plans include the reconfiguration of the parking lot and that all available space will be utilized with no room for an exterior addition.

A discussion ensued regarding the use of the High School auditorium versus the use of the Colt Auditorium for the community theater with Councilwoman Parella commenting that one of the reasons to have the theater operate within the downtown area was to bring people in and enliven the area.

Councilman Barboza asked if the committee considered applying for grant-in-aid funding from the Champlin Foundations with Ms. McBride explaining that the State reimbursement program may not be compatible with certain grant funding sources.

Council Chairman Marshall stated that the School Committee might request a special meeting with the Council sometime in the future to discuss financial issues relating to this project.

Councilwoman Parella suggested that Ms. McBride should speak to Walter Pepere of the Bristol Theater Company regarding the company's needs for performance venues. Ms. McBride noted that the architect may be able to answer these questions.

3. Councilman Herreshoff re Wood Street Extension Commission
  - a. Wood Street Extension Blue Ribbon Committee

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to reactivate this committee and to call a meeting convenient to those concerned and to continue this matter for review at the meeting of January 31, 2007.

Prior to the vote taken, Councilman Herreshoff suggested that the Blue Ribbon Committee, empowered sometime in the past to study a Wood Street extension, should be reactivated.

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Councilman Cordeiro asked if all previously involved were willing to serve at this time with Councilman Herreshoff stating that some of the members were willing to do so.

It was suggested that the Clerk contact the persons listed as members of the committee and determine their availability to continue service.

Councilman Marshall noted that Alfred Contente has expertise in this area and has agreed to serve. He also stated that he (Council Chairman Marshall) was of the opinion that Bristol was in need of a third north-south route; that the main roads were congested; that the Town should be able to "make the case" for a new road; and that the need for an 'emergency route' would constitute a favorable argument for same.

Councilman Barboza stated that he feared that this proposal was a "political chestnut." He suggested that any such blue ribbon committee should be required to provide a comprehensive report within a short time frame - perhaps sixty (60) days.

Councilman Herreshoff stated that he was of the opinion that the plans for this road as developed years ago; bridging the salt-water wetlands were still valid. He noted that Save the Bay was opposed to these plans and successfully convinced the Department of Transportation to turn down the proposal.

Councilman Herreshoff stated that he has personally retained copies of the plans and will provide same.

A further discussion ensued regarding the availability of those persons previously appointed to the committee and their continued interest. Kenneth J. Marshall of 2 Marshall Court and Stan Dimock of 25 Poppasquash Road, who were present at this meeting, indicated their willingness to continue on the committee.

4. Council Clerk Cirillo re article in RI Foundation Newsletter pertaining to Town of Bristol archives

Herreshoff/Cordeiro - Voted  
unanimously to receive and place  
this matter on file with thanks and  
congratulations to the Clerk for  
this recognition.

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5. Lucia Goncalves, 247 State Street - request for No Parking space across from driveway on Easterbrooks Avenue, continued from December 20, 2006

- a. Recommendation - Town Administrator and Police Chief

Barboza/Parella - Voted unanimously to deny the petition based upon the recommendation as received.

BB. SPECIAL /STATUS REPORTS

1. Friends of Rogers Free Library - Fundraising update as of January 3, 2007

Herreshoff/Cordeiro - Voted unanimously to receive and place this matter on file.

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2006-38, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, standing and parking, Section 16-148, Parking restricted to handicapped, 73 Constitution Street, **2<sup>nd</sup> reading for adoption**, continued from December 20, 2006

Herreshoff/Barboza - Voted unanimously to request that the petitioner either appear before the Council or to provide additional information in support of the petition.

Prior to the vote taken, Councilman Barboza expressed concern that parking is already at a premium in this area and that two nearby spaces are devoted to handicapped parking.

He further noted that a vehicle apparently belonging to the petitioner "disappears" for long periods of time. Although he stated that it was certainly the prerogative of anyone to travel, he was concerned that the elimination of an on-street parking space for the

benefit of someone who does not use it regularly might not be prudent.

A discussion ensued regarding the parking situation in the area with Assistant Town Solicitor Teitz explaining that any handicap-designated space was not specifically assigned to any one person and that anyone with a bona-fide permit was able to use same.

Councilman Herreshoff agreed with Councilman Barboza that the matter deserved further investigation and suggested that the petitioner might provide testimony directly to the Council in support of the petition. He further noted that if this person was unable to attend a Council meeting, she might provide further documentation in support of the petition.

2. Ordinance #2006-39, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, standing and parking, Section 16-146, Parking time limited in designated places, Fifteen minute parking in front of 359 Wood Street, **2<sup>nd</sup> reading for adoption**

Cordeiro/Parella - Voted unanimously that this constitute second reading for adoption of Ordinance #2006-39. Advertise in local newspaper.

3. Ordinance #2006-36 (Amended), CHAPTER 10, Environment, Article II Noise, Section 10-35, Exceptions from article provisions, **2<sup>nd</sup> reading for adoption**, continued from November 15, 2006

Barboza/Parella - Voted unanimously to place this matter on the table.

4. Ordinance #2007-01, CHAPTER 10, Environment, Article II Noise, Section 10-35, Exceptions form article provisions, **1<sup>st</sup> reading**

Barboza/Cordeiro - Voted unanimously that this constitute first reading of Ordinance #2007-01. Advertise in local newspaper.

Prior to the vote taken, Councilman Barboza stated that James Farley, President of Mount Hope Farm, suggested that the ordinance proposal might be amended to change the time frame

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from 10:00 PM on weekdays and Sunday to 10:30 PM. Assistant Town Solicitor Teitz explained that he has since spoken to Mr. Farley and that Mr. Farley informs him that he does not object to the ordinance as currently drafted.

Ms. Elizabeth "Holly" Stabler read a statement into the record as follows, noting that she also represented the opinion of her husband, Robert Ruggiero, in these remarks:

"We have looked at the proposed revised ordinance and believe that it is a significant improvement over the proposal of last fall in that it sets at least one standard of a maximum decibel level of 70 dBa where there was none before.

"Assuming that this proposal is adopted in its present form, we do not plan to pursue this matter further. We would, however, like to make the following brief comments.

"We strongly urge you to include a definition of HPC Zones with the names of the properties currently so designated in the definition list (Section 10-33) of the noise ordinance. This will help prevent confusion with the downtown Historic District and save interested parties from having to inquire at Town Hall.

"When future requests for exceptions or exemptions from provisions of the noise ordinance come before you, we urge you to consider referring them to the Zoning Board of Review for consideration under the sound variance procedures set out in Section 10-50 of the noise ordinance. While this process may seem cumbersome, to us it seems fairer and more protective of the noise ordinance objectives because it convenes all parties concerned, weighs alternatives and seeks solutions short of amending the ordinance.

"We note that the dBa level in the ordinance before you is the maximum allowed for any zone in the noise ordinance chart other than exceptions already granted. We understand, however, that the historic properties affected by this ordinance have assured council members that they are working to reduce the sound levels of events they host and will try to achieve lower decibel levels than those proposed.

"We hope the Council will use its powers of persuasion to encourage other parties who come before you to request temporary exemptions from noise ordinance standards to work on lowering the volume at their events.

"We want to thank members of the Council and representatives of the HPC properties most concerned for their willingness to revise the ordinance introduced last fall and to come up with the standard now proposed. We also wish to thank Town Clerk Lou Cirillo for his help in guiding us through this process."

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Council Chairman Marshall thanked Ms. Stabler for her statement.

5. Ordinance #2007-02, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, standing and parking, Section 16-148, Parking restricted to handicapped, remove 29 Richmond Street and add 7 Doran Avenue, **1<sup>st</sup> reading**

Herreshoff/Parella - Voted  
unanimously that this constitute  
first reading of Ordinance #2007-  
02. Advertise in local newspaper.

6. Ordinance #2007-03, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of Licenses, reduction in number of licenses, **1<sup>st</sup> reading**

Cordeiro/Herreshoff - Voted  
unanimously that this constitute  
first reading of Ordinance #2007-03.  
Advertise in local newspaper.

7. Ordinance #2007-04, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, Tent inspection fee, **1<sup>st</sup> reading**

Herreshoff/Cordeiro - Voted  
unanimously that this constitute  
first reading of Ordinance #2007-04.  
Advertise in local newspaper.

Prior to the vote taken, a discussion ensued regarding the inspection fee with it so noted that this is a fee imposed to accommodate fire inspections and it was exclusive of any fees imposed by the Building Official.

8. Ordinance #2007-05, CHAPTER 9, Building and regulations, Article I, Section 9-5.1, Vertical clearance of basement floors, **1<sup>st</sup> reading**

- a. Director of Community Development Williamson - submission and request for first reading

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Cordeiro/Barboza - Voted  
unanimously that this constitute  
first reading of Ordinance #2007-05.  
Advertise in local newspaper.

9. Ordinance #2007-06, CHAPTER 16, Motor  
Vehicles and Traffic, Article V, Stopping,  
standing and parking, Section 16-143 Parking  
prohibited at all times, Peter Road, north  
side, **1<sup>st</sup> reading**

Parella/Herreshoff - Voted  
that this constitute  
first reading of Ordinance #2007-06.  
Advertise in local newspaper.

Prior to the vote taken, Council Chairman Marshall renewed his  
recusal regarding this matter. He did not participate in any  
discussion or vote on this measure.

(CA) E. BUDGET ADJUSTMENTS

Motion to approve these adjustments per action taken on the  
consent agenda.

1. Tax Assessor - Recommended additions and  
abatements, January 4, 2007

(CA) F. APPOINTMENTS

Motion to approve advertising these Appointments per action  
taken on the consent agenda.

1. Public Service Appointments
  - a. Personnel Board (1)
    1. Rosetta M. DeLuca, 26 Sweeney Lane  
- interest/appointment

Councilman Barboza nominated Rosetta M. DeLuca for  
appointment.

Barboza/Parella - Voted unanimously  
to close nominations and instruct  
the Clerk to cast one ballot in  
favor of Ms. DeLuca, term to expire  
December, 2010.

- b. Bristol Warren Regional School Committee (1)

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1. Harold E. Tucker, 10 Noyes Avenue - interest/appointment
2. Kathleen D. Bazinet, 63 Duffield Road - interest/appointment
3. Deborah A. Hogan, 73 Fales Road - interest/appointment
4. Beverly Z. Travers, 32 Hamlet Court - interest/appointment
5. Armand Bilotti, 2 Stephen Drive - interest/appointment
6. Karen Lynch, 4 Quenton Lane - interest/appointment
7. David Dugan, 16 Fesser Avenue - interest/appointment
8. Christy Nadalin, 9 Church Street - interest/appointment

a. Resume - Christy Nadalin

Councilwoman Parella nominated Christy Nadalin.

Councilman Barboza nominated Kathleen D. Bazinet.

Councilman Herreshoff nominated David Dugan.

Parella/Herreshoff - Voted  
unanimously to close nominations.

Voting for Ms. Nadalin was Councilwoman Parella.

Voting for Ms. Bazinet was Councilman Barboza.

Voting for Mr. Dugan were Councilmen Cordeiro and Herreshoff and Council Chairman Marshall.

Council Chairman Marshall declared Mr. Dugan as appointed by majority vote.

Barboza/Parella - Voted unanimously  
to consider the previous vote to be  
unanimous in favor of Mr. Dugan.

c. Harbor Commission Advisory Committee (2)

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1. Kevin J. Ledwell, 252 Wood Street - interest/appointment
2. Leeds Mitchell, 14 Griswold Avenue - interest/appointment

Councilman Cordeiro nominated Messrs. Mitchell and Ledwell.

Cordeiro/Parella - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in favor of Mr. Mitchell and Mr. Ledwell; terms to expire in August 2009 and August 2008, respectively.

G. LICENSING BOARD - NEW PETITIONS

1. Walgreens, 591 Metacom Avenue - request for Holiday Sales License
  - a. Recommendation - Town Administrator and Police Chief

Parella/Barboza - Voted unanimously to grant this license subject to compliance with State laws and local ordinances.

2. Dennis Diffley Sewer Cleaning & Repair, 24 Railroad Row, Warwick - request for Drainlayer License

**LATE ITEM**

- a. Recommendation - Director of Public Works

Herreshoff/Barboza - Voted unanimously to grant this license based upon the recommendation of the Director of Public Works for a period of 6 months and subject to compliance with State laws and local ordinances.

H. LICENSING BOARD - RENEWALS

1. Common Pub, 421 Wood Street - renewal of Intoxicating Beverage License

**LATE ITEM**

- a. Recommendation - Fire Chief

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Barboza/Cordiero - Voted  
unanimously to extend this license  
until February 28, 2007.

Prior to the vote taken, Councilman Barboza explained that he became familiar with this matter based upon an extended conversation with Fire Chief Martin. He explained that the Chief informs him that this establishment has been making progress toward compliance with applicable fire safety regulations. Extending this license for a review period, spanning a period of two additional Town Council meetings, was agreed upon.

2. Bristol Golf Club, 95 Tupelo Street - renewal of Intoxicating Beverage License

**LATE ITEM** a. Recommendation - Fire Chief

**LATE ITEM** b. Attorney Alfred Rego, Jr. request for 60 day continuance to explore options

Barboza/Herreshoff - Voted  
unanimously to deny the renewal of  
this license.

Prior to the vote taken, Councilman Barboza stated that the owners of this establishment were not in compliance with the fire safety regulations. He further noted that little if any action has taken place to work toward compliance.

Attorney Alfred R. Rego, representing the license holder, explained that his client has taken some action and is asking for some time to explore the issue of installing sprinklers into the building. He also noted that his client is considering reducing the overall floor-area of the establishment so that it would not require sprinklers. He further noted that the establishment has little business and is not hosting entertainment at this time.

Councilman Barboza noted that the owners of the establishment were informed of the regulations several years ago and has done "too little too late" in order to be considered for an extension of time.

Councilman Herreshoff suggested that the license holder might be allowed an extension until the next Council meeting (January 31, 2007).

Councilman Barboza objected to any extension of time and asked Fire Chief Martin as to when the process began

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searching for compliance with Fire Chief Martin responding "since 2004."

Councilman Barboza stated that the establishment had "ample time" to resolve the issues and that he did not think it was prudent for the Council to "reward bad behavior."

Council Chairman Marshall stated that although the authorities have been working on this for some time, the deficiencies were brought to the Council table only recently. He also noted "sometimes people do not move too quickly until they are threatened."

Council Chairman Marshall stated that he would appreciate if like-problems were brought to the Council's attention earlier with Fire Chief Martin stating that his department issues warning letters.

Town Administrator Mederos suggested that the Chief provide copies of these letters for future Council dockets.

3. Public Laundry License - renewals for 2006/2007

**LATE ITEM**

- a. Recommendation - Town Administrator and Police Chief

Herreshoff/Cordeiro - Voted unanimously to grant these licenses subject to compliance with State laws and local ordinances.

(CA) I. UTILITY PETITIONS

Motion to approve these petitions per action taken on the consent agenda.

1. WPCF - Sewer permits

J. PETITIONS - OTHER

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Town Administrator Mederos re vandalism/repairs needed to Town Common gazebo

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of January 31, 2007.

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Prior to the vote taken, Town Administrator Mederos stated that this item has been brought forward for the Council's information and that she suggested funding improvements through next year's capital budget.

Councilman Herreshoff agreed that repairs should not be done too hastily in the place of doing them properly.

Councilwoman Parella stated that she objected to the idea of a permanent stage area in front of the gazebo. Town Administrator Mederos stated that she was in agreement with Councilwoman Parella.

Walter Burke, Recreation Director, stated that he does not wish to wait for next year but would rather repair the structure immediately.

Councilwoman Parella stated that it was "unfair" to have departments pay for vandalism repairs such as those needed in this case. She suggested that the Council might consider the establishment of a 'general-account' for this purpose.

Councilman Barboza stated that it would be "foolish" to spend Town funds on repairing the wooden railings when installing more permanent-less vandalism-prone metal ones might be an option. He asked Town Treasurer Day if it was possible to appropriate funds for this repair from next year's capital budget.

Councilwoman Parella agreed that the project should be done completely and only once. She suggested that the funds should be advanced from next year's capital budget should the plans be in place prior to July.

Councilman Herreshoff suggested that the Council not specifically make an appropriation but to rather endorse a plan and have the Recreation Department return with the particulars for the next Council meeting.

Town Administrator Mederos reminded those present that this project will require the approval of the Historic District Commission.

2. Elizabeth Evans, Executive Director, Mosaico CDC, re Excellence in Mentoring Award Ceremony and Reception recipient Diane Mederos, January 18, 2007

Cordeiro/Herreshoff - Voted  
unanimously to receive and place  
this matter on file with a letter  
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of congratulations to Town  
Administrator Mederos.

Prior to the vote taken, the Clerk was asked to determine the timing of the actual award ceremony and inform the Council of same.

3. Richard C.E. Anderson, Franklin Court, Unit 214 re notice of injury received in fall in front of Parella-Makowsky building on Hope Street

Barboza/Herreshoff - Voted  
unanimously to refer this matter to  
the Interlocal Trust.

4. Police Retirement Plan - 2006 Actuarial Report
  - a. Town Treasurer Day - Proposed ordinance to fund contribution

Barboza/Parella - Voted unanimously to receive and place this report on file and to refer the draft ordinance to the Town Solicitor for refinement.

5. Director of Community Development Williamson - Tree Guide

Herreshoff/Cordeiro - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Council Chairman Marshall read Director of Community Development Williamson's memorandum aloud and specifically recognized the work of the Conservation Commission members as noted.

6. Council Chairman Marshall re Senior Sweetheart Dance

Parella/Cordeiro - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Council Chairman Marshall stated that the Senior Sweetheart Dance will take place after all due to a private sponsorship. He noted that the dance will be held either February 1 or 8 at Jacky's Galaxie on Metacom Avenue.

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Councilwoman Parella thanked Council Chairman Marshall for his intervention in this matter and for securing the private sponsorship. She noted that this type of event lends itself to private sponsorship. It was further suggested that these matters should be brought to the Council to give the Council the opportunity to facilitate a solution.

Councilman Barboza stated that this matter was in fact brought to the Council's attention during the budget process and he cautioned the Council that it not "cut for the sake of cutting; all actions come with consequences."

Council Chairman Marshall noted for the record that the private sponsor for this event was Roger Williams University and he was tired of listening to flak concerning the University.

He also noted that the Council, during its budget deliberations, "noted difficult times and made difficult cuts." He stated that Bristol has excellent services for its tax rate and noted that the Town of Portsmouth does not have similar services.

Council Chairman Marshall noted that the Council considered the funding of necessities and the senior dance was not a necessity although it was a nice affair. He also noted that all votes on the final budget figures were unanimous and he hoped for more unanimous votes in the future.

Councilwoman Parella noted that the Recreation Board raised some of its fees in consideration of the budget. She noted that this increase in fees is paid directly to the General Fund and suggested that the Council might consider an amendment to past practice to allow the department some of this additional revenue to enhance its programs. She requested that the Clerk carry this message forward to the Council's upcoming budget deliberations.

L. BILLS & EXPENDITURES

1. Ursillo, Teitz and Ritch - bill for Coelho/Dutra real estate closing, \$1164

Herreshoff/Cordeiro - Voted unanimously to pay this bill with an appropriation from the open space portion of the recent bond issue.

(CA) M. ROUTINE REPORTS

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(CA) N. FINANCIAL REPORTS

Motion to receive and place this item on file per action taken on the consent agenda.

1. Revenue and Expenditure Report - January 4, 2007

P. PROCLAMATIONS & CITATIONS

1. Commendation - Chief Warrant Officer Joseph P. Alfano

Herreshoff/Cordeiro - Voted unanimously to adopt the commendation as presented.

2. Commendation - Captain Stephen Guertin

Herreshoff/Cordeiro - Voted unanimously to adopt the commendation as presented.

3. Commendation - Staff Sergeant Ron Roscoe

Herreshoff/Cordeiro - Voted unanimously to adopt the commendation as presented.

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Motion to receive and place these items on file per action taken on the consent agenda.

1. Council Clerk Cirillo to Prof. Bruce I. Kogan, Mediation Clinic Director, Roger Williams University re invitation to attend Council meeting

Cordeiro/Herreshoff - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Council Chairman Marshall noted that the Clerk has been in contact with Prof. Kogan and that he (Prof. Kogan) plans to make a brief presentation at the next Council meeting (January 31, 2007).

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007

2. Martin D. Wencek, Permitting Supervisor, RIDEM to Kathleen Bazinet, Executive Director, East Bay Community Development Corporation re Insignificant Alteration Permit plat 90, lots 1, 24, & 25
3. Waypoysset Preserve Trust to Town of Bristol - Note Modification Agreement
4. Town Clerk Cirillo - Press release re residential parking permits expiration January 1, 2007

Cordeiro/Herreshoff - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Council Chairman Marshall read the press release aloud and encouraged all to apply for their parking permits as soon as possible.

5. Warrant - Kenneth A. Marshall, Joint Finance Committee
6. Warrant - Raymond Cordeiro, Joint Finance Committee
7. Warrant - Mary A. Parella, Joint Finance Committee
8. Warrant - David E. Barboza, Joint Finance Committee
9. Warrant - Halsey C. Herreshoff, Joint Finance Committee
10. Warrant - Diane C. Mederos, Joint Finance Committee
11. Warrant - Linda Lou DuBois, Juvenile Hearing Board
12. Warrant - Tim A. Kemmy, Juvenile Hearing Board
13. Warrant - Bruce Randall, Conservation Commission
14. Warrant - Peter Calvet, Redevelopment Agency
15. Warrant - Marshall J. Netto, Town Sergeant

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007

16. Warrant - Michael A. Ursillo, Town Solicitor
17. Warrant - Richard B. Abilheira, Probate Judge
18. Council Clerk Cirillo to Armand C. Pereira - Thank you for service to Town of Bristol
19. Council Clerk Cirillo to Pasquale DeLise, Executive Director, Bristol County Water Authority - request for Town Council Workshop

Cordeiro/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Council Chairman Marshall asked the Clerk if he was in receipt of a response to this request with the Clerk responding negatively.

Councilman Cordeiro suggested that the Clerk might wish to send a more strongly worded letter should a response not be forthcoming.

20. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re notice of intention to change Management Procedures
21. Warrant - Paul Silva, Second Associate Municipal Court Judge
22. Jacques Whitford Company, Inc. - Notice to abutters of 15 Wall Street of Site Investigation
23. Town Administrator Mederos - Appointment of Elizabeth Harvey to Personnel Board

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS  
(office copy only)

Motion to receive and place these items on file per action taken on the consent agenda.

1. Harbor Commission - Agenda for January 8, 2007
2. RI Department of Administration, State Planning Council - Rescheduled Public Workshop from January 8, 2007 to January 10, 2007

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007

3. Colt Andrews/Hugh Cole Building Subcommittee - January 4, 2007
4. Bristol Warren Regional School Committee - Invitation to Town Council to meeting January 4, 2007
5. Bristol County Water Authority - January 2007 Meeting calendar
6. Coastal Resources Management Council - January 2007 Calendar

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Yacht Restoration School - Council Chairman Marshall stated that he wished to publicly thank those Town department heads who worked toward the opening of the Yacht Restoration School.

Fire Chief Martin stated that the School was not yet open but things were in order to allow a certificate of occupancy next week.

b. Goetz Marine - Council Chairman Marshall noted the opening of a new Goetz Marine facility and that this would be a "green" building; energy efficient. He further noted that the expansion of Mr. Goetz' business means more jobs and tax revenue for Bristol.

c. Thank You Mike Davis/Steve Roth - Council Chairman Marshall expressed his thanks to Mike Davis and Steve Roth for filming this Council meeting.

2. CORDEIRO

3. PARELLA

4. BARBOZA

a. Bone Marrow Match Drive - Councilman Barboza informed those present that there will be an opportunity to be "matched" for a bone marrow donation for a Bristol Resident who is in need of a transplant. He noted that this clinic will be held on Sunday, January 14, 2007 between the hours

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007**

of 10:00 o'clock AM and 2:00 o'clock PM in St. Elizabeth Church Auditorium.

b. Diane Williamson - Councilman Barboza noted that Director of Community Development Williamson's father was recovering from an accident relative to a tornado that damaged his home in Florida.

c. Parking/Town Code - Councilman Barboza asked for a clarification of the Town Code to determine if large trucks attached with trailers, backhoes, and external fuel tanks may be parked in residential neighborhoods. He noted that there is at least one such instance on Constitution Street.

Town Administrator Mederos agreed to investigate same.

d. Police Chief Serpa - Councilman Barboza noted for the record that Police Chief Serpa was recently elected president of the Rhode Island Police Chief Association. He noted that the Council will recognize the Chief at its next meeting concerning this upcoming honor.

5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Grant - Town Administrator Mederos noted the receipt of a grant in aid scholarship by Recreation Director Burke who will be attending a conference on playground safety at the National Playground Safety Institute.

b. Outerlimits - Town Administrator Mederos noted that Outerlimits Offshore Powerboats received recognition by winning the Offshore Super Series world and national championships held in Destin, Florida last month. She noted that she sent a letter of congratulations to Michael Fiore regarding same.

Council Chairman Marshall suggested that the Clerk might send a congratulatory letter on behalf of the Council.

c. Informal Sessions re Revenues - Town Administrator Mederos suggested that the Council may wish to schedule an informal discussion regarding revenue adjustments. Town Administrator

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 10, 2007**

Mederos agreed to contact the Clerk regarding this matter.

d. Fire Department Food Drive - Town Administrator Mederos noted that the Fire Department will be holding a food drive on January 28. Fire Chief Martin noted that the individual fire trucks will be dispatched to neighborhoods in order to collect the food donations.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilwoman Parella and unanimously approved, the Chairman declared this meeting adjourned at 9:21 o'clock PM.

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Louis P. Cirillo  
Council Clerk