

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

PRESENT: Marshall, Cordeiro, Parella, Barboza and Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator  
Michael A. Ursillo, Town Solicitor  
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, May 2, 2007 in the Town Hall, Council Chambers beginning at 7:00 o'clock PM, Council Chairman Marshall presiding:

**SPECIAL PRESENTATION - FIRE POLICE**

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall called upon Councilman Barboza to make a special presentation of the following proclamation:

State of Rhode Island and Providence Plantations  
Town of Bristol

Proclamation

Whereas, the Bristol Fire Police was established in 1923 by Chief John Grabert and the Board of Fire Engineers; and

Whereas, an original squad of seven officers, representing the Town's fire companies, were duly appointed by the Town Council to the respected rank of Special Constable - a tradition existing to this very day; and

Whereas, the ranks of the Bristol Fire Police has grown in more recent years to twenty members strong, five from each of the four fire companies, Hydraulion, Dreadnaught, Defiance, and Ever Ready and continue to serve the public, providing assistance at fire scenes assuring the safety of bystanders and affording fire-fighters clear and secure access to the fire scene; and

Whereas, these intrepid souls give willingly of their time and energy whenever called upon in service to their Town, and have remarkably done so with outstanding effectiveness and efficiency for over eighty-three years.

Now, therefore, be it Resolved, that the Honorable Town Council and Honorable Town Administrator of the Town of Bristol, State of Rhode Island and Providence Plantations, extend greetings and congratulations to the members of the Bristol Fire Police in consideration of their long service and many accomplishments; and

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Be it further Resolved, that the Honorable Town Council and Honorable Town Administrator of said Town of Bristol, individually, collectively and by these presents, express sincere gratitude to all of those present and past members of the Bristol Fire Police, and proclaim this appreciation on behalf of the entire Bristol community.

In witness whereof we have hereunto set our hands and affixed the Seal of the Town of Bristol on adoption this Second Day of May, A.D. Two-Thousand and Seven.

/s/

Diane C. Mederos, Town Administrator

/s/

Kenneth A. Marshall, Chairman

/s/

Raymond Cordeiro, Vice-chairman

/s/

Mary A. Parella, Councilwoman

/s/

David E. Barboza, Councilman

/s/

Halsey C. Herreshoff, Councilman

Attest: /s/

Louis P. Cirillo, Town Clerk

**BUDGET ADOPTION 2007/2008 - OPERATING, CAPITAL AND SEWER**

Barboza/Cordeiro - Voted  
unanimously to approve the  
2007/2008 budget as presented and  
to adopt the Budget Resolution as  
follows:

**BUDGET RESOLUTION**

State of Rhode Island and Providence Plantations  
Town of Bristol

ADOPTED 2007-2008 BUDGETS:

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OPERATING, CAPITAL AND SEWER

BE IT HEREBY RESOLVED, to submit to the Town Clerk and Taxpayers of Bristol, the ADOPTED BUDGET for fiscal year beginning July 1, 2007, and terminating on June 30, 2008, pursuant to Article 4, Section 406 of the Bristol Home Rule Charter and attached herewith as follows:

BE IT FURTHER RESOLVED, that the several sums of money on the Appropriation, Schedule "A" Operating Budget, (\$37,994,940), which includes funding for Capital Budget Schedule "B" (\$1,478,000); and the separate Water Pollution Control/Composting Enterprise Fund Schedule "C" (\$4,800,320) the expenditure of said sums derived from sewer use fees, be approved.

In witness whereof we have hereunto set our hands and affixed the Seal of the Town of Bristol on adoption this Second Day of May, A.D. Two-Thousand and Seven.

/s/

Kenneth A. Marshall, Chairman

/s/

Raymond Cordeiro, Vice-chairman

/s/

Mary A. Parella, Councilwoman

/s/

David E. Barboza, Councilman

/s/

Halsey C. Herreshoff, Councilman

Attest: /s/

Louis P. Cirillo, Town Clerk

Councilman Barboza noted for the record the untimely passing of Nicholas T. Baker. Councilman Barboza informed those present that Mr. Baker was a good and loyal member of the Fire Department.

Councilman Barboza also informed those present that Russell Moore, a reporter for the Bristol Phoenix will be leaving his post and will joining the staff of the Warwick Beacon. Councilman Barboza congratulated Mr. Moore on his appointment and the quality of his Phoenix articles.

**Council Chairman re Thomas Park**

Council Chairman Marshall introduced Director of Parks and Recreation Burke who presented an overview of planned improvements to Thomas Park. Mr. Burke informed the Council that several youngsters will be participating in the park project as part of their Eagle Scout program.

He also noted that the funding for park improvements was derived from grant funding and not from local taxation.

Gary Watros, President of the Bristol Garden Club informed the Council that his group will be participating in the project in honor of Mrs. Perry who was a founder of the Club in 1928 and a resident of the oldest house. He explained that the Club will be planting a "traditional garden" that will be known as "Mrs. Perry's Garden" and has contributed funds toward this project.

Wendy Ferguson of Save the Bay informed the Council that some of the salt marsh will be restored as part of this project and this will include the removal of non-native invasive plant species.

Mr. Burke also explained that his long range plan for the property includes the eventual acquisition of the oldest house and to convert same into a visitor center and museum for the 4<sup>th</sup> of July Committee.

Councilman Herreshoff asked if any plans were considered to improve the island in the center of Silver Creek with Mr. Burke responding that this matter might be better addressed by the "Save the Bay."

Councilman Barboza thanked Mr. Burke for his efforts and commended him for his interest in passive recreation facilities. He also drew attention to item R17 and congratulated Mr. Burke for the accolades provided therein.

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

Cordeiro/Herreshoff - Voted unanimously to approve the consent agenda adding an item under "Old Business" to consider the Colt School as requested by Councilman Herreshoff.

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

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

1. Town Council Workshop - March 28, 2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
2. Town Council Special Meeting - January 16,  
2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
3. Town Council Meeting - April 11, 2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
4. Town Council Budget Workshop - March 28, 2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
5. Town Council Special Meeting - April 18, 2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
6. Town Council Special Meeting - June 15, 2006  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
7. Town Council Budget Workshop - April 2, 2007  

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.
8. Town Council Meeting - June 21, 2006

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.

9. Town Council Workshop - August 8, 2006

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.

10. Town Council Workshop - August 21, 2006

Barboza/Cordeiro - Voted  
unanimously to accept these  
minutes as presented.

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

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Bristol Warren Regional School Committee -  
February 26, 2007
2. Bristol Warren Regional School Committee -  
February 28, 2007
3. Bristol Warren Regional School Committee -  
March 12, 2007
4. Bristol Warren Regional School Committee -  
March 19, 2007
5. Bristol County Water Authority/Board of  
Directors - March 14, 2007
6. Bristol County Water Authority/Audit Finance  
Committee - April 3, 2007
7. Bristol County Water Authority/Public  
Relations/Personnel Committee - April 3, 2007
8. Bristol County Water Authority/Engineering  
Committee - April 5, 2007
9. Planning Board - March 13, 2007
10. Historic District Commission - March 1, 2007

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

11. North and East Burial Ground Commission - February 26, 2007
12. Recreation Board - March 13, 2007
13. Rogers Free Library/Capital Project Building Committee - March 1, 2007
14. Housing Authority - February 15, 2007
15. Housing Authority - March 15, 2007
16. Substance Abuse Prevention Task Force - April 16, 2007
17. Conservation Commission - January 24, 2007
18. Conservation Commission - February 28, 2007
19. Bristol Warren Regional School Committee - March 26, 2007
20. Bristol Warren Regional School Committee - April 9, 2007

**B. OLD BUSINESS**

1. Town Administrator Mederos re Noise Meters, continued from October 25, 2006

Barboza/Cordeiro - Voted unanimously to continue this matter until the meeting of May 23, 2007.

Prior to the vote taken, Town Administrator Mederos asked that this matter might be continued.

2. Councilman Barboza re Portuguese Cultural Heritage, continued from February 28, 2007

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

Prior to the vote taken, Councilman Barboza explained that he has been in contact with leaders of the local Portuguese Community regarding an idea to display artifacts relating to Portuguese cultural heritage. He agreed to monitor the situation and report back at a later date.

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Councilman Cordeiro noted for the record that the new library plan includes a "Portuguese collection" and that the allocated space for same might present a suitable display area.

3. Robert Rocchio, State Traffic Commission to Town Administrator Mederos re removal of "No Right Turn on Red" restriction on Chestnut Street/Hope Street intersection, continued from March 21, 2007

- a. Robert Rocchio - approval of removal of sign

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

4. Council Clerk Cirillo re options for intended use of Quinta-Gamelin Army Reserve Center, continued from April 11, 2007

- a. Gerry Turbeville, BRAC Program Manager - update

Herreshoff/Barboza - Voted  
unanimously to request an extension  
of the deadline from the Department  
of Defense so as to provide the  
consultants sufficient time to  
review the options and make a  
recommendation to the Council in  
its capacity as Local Redevelopment  
Authority.

Prior to the vote taken, Ms. Turbeville reported that the grant from the DOD had been approved and the Cecil Group (the only applicant) appeared to be most qualified.

Councilman Herreshoff asked when the Council must provide its decision on the property with Ms. Turbeville responding that the decision was due sometime in June.

Councilman Herreshoff suggested that the Council might seek an extension of time; particularly in light of the fact that the Army does not intend to vacate the premises for several years.

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Ms. Turbeville explained that Councilman Herreshoff's rationale was logical and that she would pursue the extension and report back to the Council regarding same.

5. Rodney W. Wick, PE, Caputo and Wick, Ltd. - report and recommendation on masonry deterioration of Community Center Wall, continued from April 11, 2007

Herreshoff/Barboza - Voted  
unanimously to continue this matter  
until the meeting of May 23, 2007.

Prior to the vote taken, Mr. Burke presented a verbal report and photos of the wall in question. It was noted for the record that the problem concerns the interior wall and that this wall is 'buckling.'

Councilman Herreshoff asked if this was a structural issue with Mr. Burke reporting that the wall was reinforced so as to support the weight of the roof and that the engineers suspect foundation problems. He also reminded the Council that the driveway experiences regular 'sink holes.'

Councilman Herreshoff stated that this may be an insurance issue since the building is repeatedly impacted by storm activity.

Town Administrator Mederos agreed to investigate this matter with the insurance carrier.

Council Chairman Marshall speculated that the problem may have been caused by the rusting of the steel supports which connect the interior wall to the exterior wall.

6. Jose Cordeiro for Holy Trinity/St. Elizabeth Church, 577 Wood Street - request for Dancing and Entertainment License for Feast to be held June 1, 2 and 3, 2007, continued from April 11, 2007

Herreshoff/Cordeiro - Voted  
unanimously to approve the request  
for hours of operation of the  
various committees as outlined in  
agenda items B6, B7 and G1;  
requiring the police and fire  
patrols as recommended.

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Prior to the vote taken, Council Chairman Marshall noted that this agenda item and associated issues prompted a forty-five (45) minute discussion at the last meeting. He further noted that Councilman Cordeiro and Town Administrator Mederos agreed to research the matter and report to the Council at this time.

Councilman Cordeiro informed the Council that he met with the various church committees along with Deputy Chief Canario and that the committees agreed to "make every effort to keep the music down" to an acceptable noise level.

Councilman Herreshoff asked if the committees agreed to reduce the level of sound emitted when requested to do so by the police with Councilman Cordeiro responding affirmatively; adding that the noise level will be reduced overall.

Councilman Herreshoff expressed concern that bands will sometimes ignore the requests of committee members and 'do what they please.'

Town Administrator Mederos stated that she, too, spoke with various committee members and was in favor of allowing the later-evening music provided that the contact persons are well-identified to the police officers in charge and that these contact persons will be authorized to address complaint issues immediately.

She also noted that it would be advisable to have a meeting with all parties immediately following the events so as to discuss any issues that might impact future programs; noting that the bands are hired as much as one year in advance of the feast.

Councilwoman Parella stated that this point raised by Town Administrator Mederos was key and that the Town should make every effort to assure that all issues are resolved in a timely fashion so as to prevent future problems.

Councilman Cordeiro informed the Council that committee members expressed a willingness to "head-off" further problems.

Councilwoman Parella stated that this would be an "important year;" noting that committee members were unresponsive in the past and the actions of all parties will dictate the Council's future action regarding these activities.

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Councilman Barboza stated that he did not have any personal agenda regarding the feasts and enjoys visiting these. He did say, however, that he would like to be responsive to the request of the committees since members appear to be in agreement that a problem exists and expressed their willingness to resolve the problem. He also stated that he did not wish to have this same discussion again next year and it was imperative that the committees fulfill their promise.

A discussion ensued regarding the number of police and fire officers that must be present during the celebrations with all in agreement that this number is dictated by departmental policies and necessary for the safety of all concerned.

7. Antonio Avila for St. Elizabeth Church/Santo Christo Feast, 577 Wood Street - request for Dancing and Entertainment License for Feast to be held on June 8, 9 and 10, 2007, continued from April 11, 2007

This matter was resolved as part of docket item B6.

8. Helga Piccoli, Treasurer, Bristol Art Museum re Sales Tax Exempt Arts District, continued from April 11, 2007

- a. Draft Resolution re Arts District

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

**LATE ITEM**

- b. Amendment to Rhode Island General Laws re Arts District

Herreshoff/Parella - Voted unanimously to approve this amendment as presented and to forward same to the local legislative delegation for their prompt action.

**LATE ITEM**

- c. Alternate Draft Resolution corresponding to item 'b' above

Herreshoff/Parella - Voted unanimously to adopt this resolution as presented and to

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forward same to the local legislative delegation for their prompt action.

Prior to the vote taken, the Clerk informed the Council that two draft resolutions were before its honorable body with the primary difference being the geographic limits of the district as proposed. The Council agreed that the district as presented in item B8c was its preference for the Tax Exempt District.

Councilman Herreshoff asked if passage by the General Assembly of this legislation was likely with Town Solicitor Ursillo responding affirmatively since other similar communities in Rhode Island have the same benefit.

9. Bid #634 - 2007 Bituminous Sidewalk Replacement Project, continued from April 11, 2007
  - a. Principal Planner Tanner - summary of sidewalk replacement project and cost estimate of concrete conversion
  - b. Councilman Herreshoff - opposition to bituminous sidewalks

Barboza/Parella - Voted unanimously to refer Bid #634 to the Town Administrator to act in the best interest of the town.

Prior to the vote taken, Council Chairman Marshall noted that Councilman Herreshoff and others expressed concern regarding the Town's program of installing bituminous asphalt sidewalks and the Council held a special workshop on April 23, 2007 regarding same.

He further noted that Principal Planner Ed Tanner provided information at the special workshop concerning a 'rundown' of the costs; streets yet to be completed; technical descriptions of the sidewalk-bed preparation, asphalt thickness, etc.

Councilman Herreshoff stated that he still has some concerns regarding the use of asphalt and further stated that he regretted the use of sidewalk asphalt between High and Wood Streets. He noted that these streets are within the National Register of Historic Places designated Historic District and that these should have been considered as such.

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Councilman Herreshoff did state, however, that the Town perhaps shouldn't change course at this point but the Council should consider that concrete is the preferred material for the future.

Town Administrator Mederos noted that Kevin McBride, a representative of Caputo and Wick, was present to address the Council's concerns.

Councilman Cordeiro asked if Cole Street will receive new sidewalks stating that he was informed that this street was on the list.

Councilwoman Parella stated that she was of the opinion that Sherry Avenue sidewalks should be paved with concrete but Mr. Tanner made good points. She further stated that she was in agreement with Councilman Herreshoff regarding the use of concrete as the preferred material in the future.

Councilman Barboza stated that the cost consideration likely led to the use of bituminous asphalt instead of concrete and that many voters supported the sidewalk bond issue in anticipation of receiving new neighborhood sidewalks and "expect to have something (asphalt or concrete)." He further stated that were the Town to use concrete exclusively, many of these voters would be disappointed.

Councilman Herreshoff asked for an explanation of the rationale of the sidewalk material issue with Mr. McBride noting that an important element of the decision was the overall condition of the road adjacent to the sidewalks; noting that it is impractical to consider concrete in places where the roadways will soon be replaced.

Public Works Director Serbst stated that the Town had a commitment to the Historic District Commission that concrete sidewalks would be installed within the Town Historic District.

Councilman Herreshoff stated that he was concerned about the quality of the more recent bituminous sidewalks and that he observed poorly graded surfaces and the proliferation of puddles after periods of precipitation.

Mr. McBride noted that the current bituminous installation is of a higher quality than that which was installed in the past. He commented that the new sidewalks have a superior sub-base and are much thicker than before.

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A discussion ensued regarding the life expectancy of the various sidewalk materials with Mr. McBride explaining that the use of road salts has diminished the overall life of the concrete sidewalks.

Councilwoman Parella noted that some melt-agents are less troublesome than basic rock-salt and that the Town should inform its citizens through a public relations effort regarding which products would not harm the new sidewalks.

- c. Director of Community Development  
Williamson re street light installation  
on east side of Thames Street

Barboza/Parella - Voted unanimously to approve the plan for street light installation as recommended by Director of Community Development Williamson.

After the vote taken, a related discussion ensued regarding the status of the Hope Street (downtown) sidewalk improvements with Town Administrator Mederos noting for the record that the State doesn't appear to have funds to support this program.

Councilman Herreshoff stated that he was of the opinion that when this project is finally undertaken it should be completed "first class" and that the Town may seek the recommendations of Al Veri, the noted landscape designer. He further stated that he was of the opinion that lights for Hope Street should be of a superior design to the ones currently discussed.

Town Administrator Mederos agreed to consult with Mr. Veri regarding this project.

- 10. Pasquale DeLise, Executive Director, Bristol County Water Authority - update re development of Hydraulic Model to evaluate flows/pressures

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to correspond with Mr. DeLise regarding the hydraulic model; suggesting that the Town should be involved throughout the process

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rather than becoming informed when the plan is complete.

Prior to the vote taken, Councilman Herreshoff suggested that this was a very important project and it would likely be valuable for the Council to have regular status reports regarding same and become involved at the earliest possible juncture.

After the vote taken, Council Chairman Marshall informed those present that June Speakman, a political science instructor at Roger Williams University will be sponsoring a 'public policy discussion' at the University and the Bristol County Water Authority will be a topic for the session. He further noted that this discussion will take place sometime during July or August and he will inform the Council regarding the specific date.

11. Councilman Barboza - update re Boys State Program

It is hereby noted for the record that the Council agreed by unanimous consent to deviate from the published docket and discuss this matter prior to item B9.

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

Prior to the vote taken, Councilman Barboza introduced Dave Silvia of the American Legion who thanked the Council for its support of the program. He also noted that the Newport Navy Base is no longer available to the American Legion for a program site and the Boys State Program is looking for a new home and a corporate sponsor of same.

Mr. Silvia also introduced Brian Petit, a student from Mount Hope High School who provided an overview of his personal experiences with the Boys State Program.

12. Council Clerk Cirillo - update re Ice Rink Committee

Cordeiro/Herreshoff - Voted  
unanimously to refer this matter to  
Town Treasurer Day.

Prior to the vote taken, the Clerk reported that he contacted the members of this committee and the responses were included in the subject memorandum.

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Councilman Herreshoff asked if this ice rink would be used solely for hockey with Council Chairman Marshall stating that he would like to see this facility based upon the one in West Warwick.

It was noted that an ice rink might be included in the overall plans for the Town's recreational facilities and Mr. Burke should serve on this committee.

It was noted that Jeff Day and Roberta DiMezza might also wish to serve as committee members.

13. Councilman Barboza - update re Pastime Performing Arts Foundation

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

Prior to the vote taken, Diana Campbell and Beverly Larson of the Pastime Foundation informed the Council of its plans to promote the arts in downtown Bristol. It was noted that the Foundation renewed its interest in the project based upon the temporary location of Warren's 2<sup>nd</sup> Story Theater which held performances in the Bristol Court House several months ago.

14. Gerry Turbeville, CDBG Program Manager re Block Grant for FY 2007
  - a. Community Development Block Grant budget
  - b. Resolution of local governing body

Barboza/Cordeiro - Voted  
unanimously to approve the budget  
and adopt the resolution, both as  
presented.

15. Martha C. Heald, BETA Group, Inc. - Silver Creek Project update

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

Prior to the vote taken, Town Administrator Mederos informed the Council that a public hearing on the proposals

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concerning Tanyard Brook and Silver Creek will take place on Wednesday, May 30, 2007.

**(Added Item)** 16. Colt School Renovations (discussion only)

Councilman Herreshoff stated that he was concerned regarding the School Committee's plan to renovate the Colt Memorial School since this is an "extraordinary building" and it should be considered as such and not simply for its utility.

He further stated that the School Committee will unwisely "cut corners" and the result will be "second-rate at best."

Council Chairman Marshall stated that he as served as "liaison to the situation" and that the Committee has abandoned its idea to replace the ceramic tile roof with an inferior material and now plans to replace the roof in-kind.

He did state, however, that the committee will be replacing the windows of the historic building.

Councilman Barboza stated that he was informed by Marjorie McBride that the replacement of the windows was a "compromise" between the School Committee and the Historic District Commission.

**BB. SPECIAL /STATUS REPORTS**

1. Director of Community Development Williamson  
- Monthly progress report for March 2007

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

**C. PUBLIC HEARINGS**

1. Roseann Dugan and Lynne McDonald - request for Junk and Second-hand Dealer's License to sell home furnishings on consignment at 201-203 Gooding Avenue

- a. Recommendation - Police Chief

Council Chairman Marshall opened the public hearing.

Ms. Dugan and Ms. McDonald informed the Council that they would be willing to answer any questions regarding their business plans.

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There was no remonstrance offered in favor or against the petition.

Barboza/Parella - Voted unanimously to close the public hearing.

Barboza/Parella - Voted unanimously to grant the petition subject to the recommendation as received and subject to conformance to all state and local regulations and payment of all fees and levies.

D. ORDINANCES

1. Ordinance #2007-16, CHAPTER 11, Fees and Charges, Section 11-1 Comprehensive Schedule of Fees (Building Permits et al), **2<sup>nd</sup> reading for adoption**

Cordeiro/Herreshoff - Voted unanimously to continue this matter until the meeting of May 23, 2007.

Prior to the vote taken, Council Chairman Marshall suggested that this ordinance may require further consideration prior to adoption.

Mr. Tanner reported that a good deal of research supports the development of the zoning fee structure.

Councilman Barboza explained that the Council asked the department to amend this ordinance over one year ago during the budget deliberations and the budget for the upcoming fiscal year was based upon an increase in fees.

Town Administrator Mederos stated that many of these fees remain unchanged for a long time and the proposal considers the fees charged in other community for the same service.

2. Ordinance #2007-17, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-148, Handicapped Parking, **1<sup>st</sup> reading**

Barboza/Parella - Voted unanimously to consider this the first reading

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of Ordinance #2007. Advertise in local newspaper.

Prior to the vote taken, it was noted for the record that this ordinance proposal will change the manner in which Handicapped Parking spaces are created and no longer require an amendment to the Town Code to do so.

3. Council Chairman Marshall - discussion re Ordinances #2007-9 and #2007-10 (landfill)

Cordeiro/Herreshoff - Voted unanimously to ask the Town Administrator to distribute information regarding the need to raise transfer station fees including a press release and notice in the soon-to-be-mailed annual tax bills and to allow the implementation of the new transfer station "weight rounding" program prior to the ordinance amendment.

Cordeiro/Herreshoff - Voted unanimously to approve item K9 as proposed.

Prior to the vote taken, Council Chairman Marshall wondered if the Council's recent ordinance to raise transfer station fees and the fee for "dump stickers" was prudent. He questioned if the Council adopted all of the Ordinance's provisions too hastily and if a 'phase-in' over time would have been the preferred route.

Councilman Barboza noted that the purposes of the ordinance as recommended by Public Works Director Serbst was to "bandage a \$750,000 hemorrhage" and at the present time 80% of the taxpayers are subsidizing the remaining 20%.

A discussion ensued regarding the State's expectations for trash transferred to the Johnston Landfill and how the level of fees impacts this.

Public Works Director Serbst explained that under the old fee structure, a resident could dump over 26,000 pounds of rubbish at the transfer station for the annual cost of a \$5 "dump sticker."

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A discussion ensued regarding the fact that the Bristol station has the lowest fees in the area and the deposit of 'out of town' trash due to the fee structure.

Public Works Director Serbst noted for the record that the "rounding" provision of the new ordinance may be unfair and he will recommend an amendment to rectify this situation.

Councilman Cordeiro stated that he was of the opinion that the information provided by the administration was useful and he recommended that this information should be shared with the public at large.

Council Chairman Marshall stated that he was concerned that town employees at the Public Works Department were "laying blame" upon the Council for the increase in fees and the employees should rather participate in providing the rationale for the fee increases rather than 'pointing fingers.'

Public Works Director Serbst agreed to provide amendment information to Town Solicitor Ursillo so that he may file an ordinance amendment for the Council's future consideration.

Council Chairman Marshall read the information provided by Town Administrator Mederos concerning an "amnesty" period as described in item K9.

It was agreed that the Town Administrator could implement this amnesty program.

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo - Recommended Abatements and Additions, May 2, 2007

**(CA) F. APPOINTMENTS**

**Approval of consent agenda="Motion to approve advertising these Appointments."**

1. Public Service Appointments
  - a. Assistant Harbor Master (term exp. 1/2008)

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1. Nathan Gallison, 50 King Philip Avenue - interest/appointment

Councilman Barboza nominated Mr. Gallison for appointment.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Gallison, term to expire in January, 2008.

- b. Open Space Conservation Committee (2)
  1. Joyce M. Bryant, 67 Collins Street - interest/appointment
  2. Jennifer Astrella, 1051 Hope Street - interest/appointment

Councilwoman Parella nominated Ms. Bryant and Ms. Astrella for appointment.

Parella/Cordeiro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor Ms. Bryant and Ms. Astrella, terms to expire at the pleasure of the Town Council.

- c. Board of Tenants' Affairs (1 Two-year term)
  1. Lorraine Magee, 1014 Hope Street - interest/appointment
  2. Joyce M. Bryant, 67 Collins Street - interest/appointment

Councilman Cordeiro nominated Ms. Magee for appointment.

Cordeiro/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Magee, term to expire in January, 2008.

**G. LICENSING BOARD - NEW PETITIONS**

1. Marie Mauricio for St. Elizabeth Church/Holy Ghost Committee, 577 Wood Street - request

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for 2-day Dancing and Entertainment License  
for May 26 & 27 from 6-11 PM

- a. Recommendation - Police Chief

It is hereby noted for the record that the discussion and action on this matter took place in conjunction with item B6.

- 2. Anthony Cavalieri, Wood Street Bakery, 366 Wood Street - request for Sidewalk Use License

- a. Recommendation - Police Chief

Parella/Cordeiro - Voted unanimously to grant the petition per the recommendation received and subject to conformance to all laws and ordinances and payment of all fees and levies.

- 3. Stephen and Lynn Squatrito, Weavers Management Inc., d/b/a Backroad Grille, 549 Metacom Avenue - request for change of service hours to 11 PM on Sunday through Thursday until November 1, 2007.

Barboza/Parella - Voted unanimously to grant the petition per the recommendation received and subject to conformance to all laws and ordinances and payment of all fees and levies.

Prior to the vote taken, Town Administrator Mederos informed the Council that she did not have a problem with this request as received.

- 4. Steven Ferreira, Sage Bar and Grille, Inc. d/b/a Sage Bar and Grille, 200 Gooding Avenue - request for transfer of BV Intoxicating Beverage License to nominee; call for public hearing for June 13, 2007.

**LATE ITEM**

- a. Alfred R. Rego, Jr. re name of nominee - Ricc's Ristorante LLC, Patrick V. Riccardi, 143 Brooklawn Court, New Bedford, MA

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Barboza/Parella - Voted unanimously to hold a public hearing regarding this matter on June 13, 2007.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these petitions."**

1. WPCF - road cut permits

J. PETITIONS - OTHER

1. Carol McConnell, 224 Wood Street, Apt. 2 - request for handicapped parking space in front of residence

- a. Recommendation - Police Chief

Parella/Barboza - Voted unanimously to consider approval this petition and to forward same to the meeting of May 23, 2007.

Prior to the vote taken, a discussion ensued in consideration of the proposed ordinance regarding parking spaced limited to the handicapped with the Clerk informing the Council that this case will be considered as per the proposed ordinance and adopted, if appropriate, at the next meeting.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Lane Sparkman, Guiteras Community Group re proposed playground at school

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

Prior to the vote taken, Ms. Sparkman addressed the Council and explained that she was in possession of some proposed plans for the playground. She agreed to provide a copy of same to the Clerk for the Council's file.

2. Kathleen Beaudoin, Portsmouth Town Clerk - request for support of Resolution in support

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of the Coalition of Communities Improving  
Rhode Island

Cordeiro/Herreshoff - Voted  
unanimously to support this measure  
and to instruct the Clerk to  
correspond to the local General  
Assembly delegation regarding same.

3. David J. Sasso, Transportation Support  
Administrator, RI Department of  
Transportation - Disposition of surplus State  
land on Ferry Road, Bristol

Herreshoff/Barboza - Voted to  
decline the Town's right of first  
refusal in regard to this surplus  
property. Voting in favor of the  
measure were Council Chairman  
Marshall, Councilwoman Parella, and  
Councilmen Herreshoff and Barboza.

It is hereby noted for the record that Councilman Cordeiro  
recused himself from the discussion and vote on this matter  
due to a conflict of interest.

4. David N. Cicilline, Mayor of Providence re  
*Growing Smart with Transit* (copy available in  
Town Clerk's Office) - report on importance  
of developing and sustaining transit system

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

5. Representative Raymond E. Gallison, Jr. -  
request for letter of opposition re  
transportation of LNG on Rhode Island  
waterways

- a. Jerry Landy (via email) - request to  
send delegation to US Court of Appeals,  
Boston, MA in opposition to LNG  
transportation

Herreshoff/Barboza - Voted  
unanimously to support the position  
of Representative Gallison and to  
instruct the Clerk to send a letter  
as per the above and to include the

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Council's additional concern  
regarding the Mount Hope Bridge.

6. Stephan Brigidi, President, Save Bristol Harbor - Thank you for funding

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

7. Jack Evans, Code Compliance Coordinator and Edward Tanner, Principal Planner - control of odor emissions

Barboza/Cordeiro - Voted  
unanimously to support the actions  
of the Code Compliance Coordinator  
and the Principal Planner.

8. Director of Community Development Williamson and Superintendent of Water Pollution Control Facility Calderiso - request for Executive Session pursuant to RIGL 42-46-5 (a)(5)

It is hereby noted for the record that this item was taken up at the conclusion of the public agenda.

9. Town Administrator Mederos - proposal of amnesty weekends at Transfer Station

It is hereby noted for the record that action on this agenda item took place as part of item C3.

10. Resolution - Annual Fourth of July Celebration

Barboza/Herreshoff - Voted  
unanimously to adopt this  
resolution with the proviso that it  
will be noted for the record that  
Councilman Herreshoff objects to  
holding the traditional 4<sup>th</sup> of July  
fireworks display on July 3.

11. Councilman Cordeiro re Odyssey of Mind

Cordeiro/Herreshoff - Voted  
unanimously to appropriate \$300  
from the Council Contingency to  
support this endeavor.

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Prior to the vote taken, Councilman Cordeiro explained that that this program was beneficial to young people and that he was impressed by its good work. He suggested that the Council might make an appropriation in support of the program.

**LATE ITEM 12. Councilwoman Parella re Roger Williams University Scholarship**

Parella/Barboza - Voted unanimously to instruct the Clerk to contact Mr. Antinucci so as to develop a Council resolution in support of a Roger Williams University scholarship based upon the proceeds of "Bristol, Beyond Beautiful."

Prior to the vote taken, Councilwoman Parella stated that she was in contact with Mr. Antinucci who expressed interest in the establishment of a scholarship for a Bristol student attending Roger Williams University who would be studying small-town preservation. Mr. Antinucci tentatively agreed to donate the proceeds from the university campus sales of his book "Bristol, Beyond Beautiful" for this purpose.

It was agreed that the Council's resolution in support of Mr. Antinucci's plan might be of interest to the University officials.

**L. BILLS & EXPENDITURES**

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this item on file."**

1. Revenue and Expenditure Report - April 25, 2007

**P. PROCLAMATIONS & CITATIONS**

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

**Approval of consent agenda="Motion to receive and place these items on file."**

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

1. Warrant - Karen Lynch, Bristol Warren Regional School Committee
2. Warrant - Kenneth J. Marshall, Planning Board
3. Warrant - Armand G. Bilotti, Planning Board
4. Warrant - Ronald Moran, Police Pension Fund
5. Warrant - Anthony Merryman, Deputy Chief, Board of Fire Engineers
6. Warrant - John Paul Cloutier, Assistant Chief, Board of Fire Engineers
7. Warrant - Frank Sousa, Assistant Chief, Board of Fire Engineers
8. Warrant - John Black, Assistant Chief, Board of Fire Engineers
9. Council Chairman Marshall to Ralph R. Papitto, Chairman, Roger Williams University Board of Trustees - thank you for contribution to Parks and Recreation department Senior Sweetheart Dance
10. Council Clerk Cirillo to Edward P. Mara, Superintendent, Bristol Warren Regional School District - appointment by Town Council of Karen Lynch to school committee
11. Council Clerk Cirillo to Ronald V. Gallo, President, Rhode Island Foundation - thank you for grant
12. Council Clerk Cirillo to Joyce Kinsella, former member of Bristol Warren Regional School Committee - thank you for dedicated service
13. Council Clerk Cirillo to Representative Raymond E. Gallison, et al - thank you for concern re flooding problems on Route 114
14. Council Clerk Cirillo to Senator David Bates, et al - thank you for concern re flooding problems on Route 114

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

15. Council Clerk Cirillo to Senator David Bates, et al re Town Council support of legislation relating to education
16. Jerry M. Landy to Town Officials (Via email) - opposition to possible elimination of Byfield School principal
17. Raymond DeLeo, Raymond Construction Company, Inc. - appreciation of assistance by Walter Burke, Director of Parks and Recreation
18. Joseph A. DePasquale, Warren Town Council member, re Rhode Island Wind Alliance
19. Terrence E. Mercer, Associate Administrator, RI Division of Public Utilities and Carriers re hearing date for carrier proposing to operate water vessel in Town of Bristol
20. RI Coastal Resources Management Council - consideration of application by Town of Bristol to construct and maintain transient dockage, additional wave fence and additional permanent dockage at Church Street Marina
21. Bristol County Water Authority - invitation to Kickemuit River Fish Ladder Ceremony on April 30, 2007
22. Diane Campbell, Chair, Voices for Bristol - thank you for support
23. Donna L. Giordano, Westerly Council Clerk - request for support of resolution requiring that public utilities be responsible for costs incurred by municipal corporations associated with relocation of utility infrastructures
24. Gary Watros, President, Bristol Garden Club to David Swanson, Chairman, Rogers Free Library Building Committee re Remembrance Garden
25. St. Elizabeth Church/Santo Christo Committee, 577 Wood Street - Class F Intoxicating Beverage License for April 28, 2007

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

26. Lauren Lake, President, Coggeshall Farm Museum, Inc. - Thank You for funding
27. American Legion, Department of Rhode Island - Firefighter Certificate of Commendation to Bristol Volunteer Fire Department
28. Award of Bid #632, Elbow Street Drainage to Aquidneck Construction, Portsmouth, RI

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

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Coastal Resources Management Council - April 2007 amended meetings calendar
2. Bristol County Water Authority/Board of Directors monthly meeting agenda - April 11, 2007
3. Bristol Warren Regional School Committee - Schedule of meetings and events for week of April 16, 2007
4. Bristol Warren Regional School Committee/Budget Facilities Subcommittee - April 16, 2007
5. Bristol Warren Regional School Committee - Schedule of meetings and events for week of April 23, 2007
6. Bristol Warren Regional School Committee/Bond Project/Building Committee - April 23, 2007
7. Bristol Warren Regional School Committee/Personnel/Contract - April 23, 2007
8. Bristol County Water Authority - May 2007 Meeting schedule
9. Coastal resources Management Council - Agenda for Semi-Monthly Meeting to be held April 24, 2007

S. TOWN SOLICITOR

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

1. Council Clerk Cirillo re Discharge of Subdivision Bond.

Barboza/Herreshoff - Voted unanimously to approve the Discharge of Subdivision bond as recommended by Assistant Town Solicitor Ryan and to empower Council Chairman Marshall to sign the document on behalf of the Town.

**Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS**

**1. MARSHALL**

a. Thank you Mike Davis and Steve Roth - Council Chairman Marshall thanked Messrs. Davis and Roth for filming tonight's meeting.

b. State EDC Educational Program for Small Businesses - Council Chairman Marshall noted the upcoming Small Business course available to owners and potential owners of small businesses. Council Chairman Marshall explained that this will be a two night program and interested parties should contact Alan Crisman of the Mount Hope Enterprise Zone.

c. April Wind Forum - Council Chairman Marshall reported on the April Wind Forum at the University of Rhode Island and further reported that Governor Carcieri was in favor of developing wind farms off of the Rhode Island coast.

d. 80<sup>th</sup> Birthday; Bristol Garden Club - Council Chairman Marshall noted the 80<sup>th</sup> birthday of the Bristol Garden Club and extended best wishes to its president, Gary Watros.

e. Happy Mothers Day - Council Chairman Marshall extended Mothers Day wishes to all.

**2. CORDEIRO**

a. Overnight Parking Issues - Councilman Cordeiro noted the receipt of several telephone calls regarding overnight parking violations by out of state motorists at Independence Park. He asked Town Administrator Mederos to investigate this matter.

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b. Disturbances 37 Franklin Street - Councilman Barboza noted some reported disturbances at 37 Franklin Street and asked if the police and/or Code Compliance Officer would investigate same.

3. PARELLA

a. Mothers Day - Councilwoman Parella wished a happy Mothers Day to her mother Bernice A. Parella and best wishes to all mothers on Mothers Day.

b. 1200 Hope Street - Councilwoman Parella expressed concern regarding the condition of the property at 1200 Hope Street.

4. BARBOZA

a. RI Crisis Intervention - Councilman Barboza drew attention to the recent tragedy concerning the passing Nicholas T. Baker and acknowledged the work of the Rhode Island Crisis Intervention team. He suggested that the Clerk might send a letter of thanks to this group.

b. Councilman Herreshoff - Councilman Barboza shared his thoughts regarding the recent "roast" of Councilman Herreshoff for the benefit of the Fourth of July Committee and stated that Councilman Herreshoff was a 'good sport.'

c. 79 Franklin Street - Councilman Barboza noted a large pile of scrap lumber on the lawn in front of 79 Franklin Street and suggested that a Town official should inform the owners of the property that the Town will not remove same.

d. Happy Mothers Day - Councilman Barboza wished a happy Mothers Day to all.

5. HERRESHOFF

a. The "Best Season" - Councilman Herreshoff noted the approach of the Fourth of July celebration and noted that the Town will "look its best" during this time.

b. Harbor Safety - Councilman Herreshoff noted that some speed boats are still exceeding the

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 2, 2007**

harbor speed limits and causing excessive noise within the confines of the Harbor.

Councilman Cordeiro agreed to bring this message to the Harbor Commission and Harbormaster.

c. Herreshoff "roast" - Councilman Herreshoff thanked all who participated in the recent "roast" and noted that the message he received was "well deserved and not likely to change anything."

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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**CITIZENS PUBLIC FORUM**

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Barboza/Parella - Voted unanimously to adjourn into Executive Session pursuant to RIGL 42-46-5 (a) (5) at 10:20 o'clock PM.

Barboza/Parella - Voted unanimously to seal the minutes of the Executive Session and resume open session at 10:30 o'clock PM.

There being no further business upon a motion by Councilman Barboza seconded by Councilwoman Parella and unanimously approved the Chairman declared this meeting to be adjourned at 10:31 o'clock PM.

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Louis P. Cirillo  
Council Clerk