

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 13, 2007**

PRESENT: Marshall, Cordeiro, Parella and Barboza

ALSO PRESENT: Diane C. Mederos, Town Administrator (arrived  
at 7:20 o'clock PM)  
Michael A. Ursillo, Town Solicitor  
Marshall J. Netto, Town Sergeant

ABSENT: Herreshoff

The Council met in regular session on Wednesday evening, June 13, 2007 beginning at 7:05 o'clock PM in the Town Hall, Council Chambers, Council Chairman Marshall presiding:

Prior to the commencement of this evening's agenda, Council Chairman Marshall acknowledged the birth of two grand-nieces.

Council Chairman Marshall congratulated the recent fifth-grade graduates of Rockwell School.

Council Chairman Marshall noted the recent Santo Cristo feast and procession; informing those present that he was pleased to observe that this very old tradition was carried despite a waning interest in these types of activities.

Council Chairman Marshall noted the recent Firefighter's Memorial Sunday observed on June 10, 2007, and congratulated Councilman Barboza who served as the Master of Ceremonies for the speaking program.

Council Chairman Marshall noted that the Town will be celebrating Flag Day tomorrow with ceremonies planned for the Town Common beginning at 6:00 o'clock PM.

Council Chairman Marshall also noted the approaching Fourth of July activities and the increase in traffic and noise usually as a result of the summer tourist season. He advised all present to be patient since the summer activities are "what make Bristol special."

Council Chairman Marshall asked if the Council would consider adding an Executive Session to the agenda per the request of Director of Community Development Williamson.

Cordeiro/Barboza - Voted  
unanimously to add an Executive  
Session to this meeting to be taken  
up at the conclusion of the public  
agenda pursuant to RIGL 42-46-5 (a)  
(5).

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Council Chairman Marshall noted the recent boat show, deemed a success, and also noted that the activity came about through the efforts of a small, dedicated committee.

Councilman Cordeiro informed the Council that the recent Santo Cristo feast was "outstanding" and he offered his congratulations to the committee and to those who decorated Franklin Street with flowers for the procession.

Councilman Cordeiro also informed those present that he was personally disappointed that there were few attendees at the special legislative meeting arranged by Representative Gallison held last evening at Mount Hope High School. Councilman Cordeiro noted that there were ten legislators in attendance and only two persons in the audience.

Councilman Barboza welcomed Mike Davis back to the Council Chambers. Mr. Davis has been absent since he was injured in an accident.

The Clerk informed the Council of the request of Director of Community Development Williamson to continue Docket item B5, the petition of Patrick T. Conley.

Cordeiro/Parella - Voted  
unanimously to continue this matter  
until the regular meeting of July  
11, 2007.

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

Cordeiro/Parella - Voted  
unanimously to approve the Consent  
Agenda as presented.

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

1. Town Council Executive Session - August 23,  
2006

Barboza/Parella - Voted unanimously  
to unseal the minutes of the  
Executive Session of August 23,  
2006.

Barboza/Parella - Voted unanimously  
to approve these minutes as  
presented.

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2. Town Council Meeting - May 23, 2007

Barboza/Cordeiro - Voted  
unanimously to approve 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. Harbor Commission - May 7, 2007
2. Conservation Commission - March 28, 2007
3. Conservation Commission - April 25, 2007
4. Fourth of July Committee - May 2, 2007
5. Substance Abuse Prevention Task Force - May  
22, 2007
6. Recreation Board - April 10, 2007
7. Housing Authority - April 12, 2007
8. Board of Directors/Bristol County Water  
Authority - April 11, 2007
9. Public Relation/Personnel Committee/Bristol  
County Water Authority - May 8, 2007
10. Audit Finance Committee/Bristol County Water  
Authority - May 8, 2007
11. Engineering Committee/Bristol County Water  
Authority - May 10, 2007
12. Zoning Board of Review - May 7, 2007
13. Wood Street Extension Committee - February 7,  
2007
14. Wood Street Extension Committee - March 14,  
2007

**B. OLD BUSINESS**

1. Rodney W. Wick, PE, Caputo and Wick, Ltd. -  
report and recommendation on masonry

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deterioration of Community Center Wall,  
continued from May 23, 2007

Cordeiro/Barboza - Voted  
unanimously to continue this matter  
until the meeting of July 11, 2007.

Prior to the vote taken, Director of Parks and Recreation Burke informed the Council that the Community Center wall is still under evaluation by experts and that the preliminary study revealed that 80% of the wall is load-bearing. An additional study is in process by "Structural North."

Mr. Burke also informed the Council that Town Administrator Mederos is waiting to assemble all of the cost considerations so as to provide a complete scope of work and costs for the Council's consideration. He speculated that this complete plan will be available in time for the Council's next meeting.

Councilman Cordeiro asked if the Town or State was official owner of the Community Center with Mr. Burke responding that the State gave the building to the Town expressly for recreational purposes.

Director of Community Development Williamson stated that she intends to speak with Rick Greenwood from the Rhode Island Historical Preservation and Heritage Commission regarding the possibility of a rehabilitation grant to help defray the cost of repair.

Responding to questions posed by the Council, Mr. Burke informed its honorable body that the only summer program impacted by the closure of the Community Center was gymnastics and that this program will be relocated to the Rockwell School.

2. Councilman Barboza re Wood Street Extension Committee, continued from May 23, 2007
  - a. Louis P. Cirillo, Town Clerk/Secretary Pro-tempore of the Wood Street Extension Committee to Town Council - recommendation of Committee to withdraw proposal of a Wood Street Extension
  - b. Draft Minutes - June 6, 2007

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Barboza/Parella - Voted unanimously to accept the recommendation as received, and disband the committee, thanking the members for their efforts.

Prior to the vote taken, Council Chairman Marshall gave credit to Chairman Alfred Contente for his interest in the Town's traffic problems and noted that the chairmanship of this particular committee was not an easy task.

(Town Administrator Mederos arrived at this point in the meeting - 7:20 o'clock PM)

Council Chairman Marshall noted that although the committee decided that it did not wish to pursue the Wood Street Extension, the traffic congestion problem remains unresolved.

Councilman Barboza stated that he was pleased that the Wood Street Extension was "finally dead and hopefully buried after forty years." He added that the idea was "well intentioned but wasn't going anywhere."

3. Cynthia Raposa, 8 Easterbrooks Avenue - request to remove handicapped parking designation, continued from May 23, 2007

Cordeiro/Barboza - Voted unanimously to approve the request as presented.

4. John Brando, 2 Milford Street - request for "No Parking" designation across from driveway, continued from May 23, 2007

- a. Recommendation - Police Chief

Barboza/Cordeiro - Voted unanimously to refer this matter to the Town Solicitor so that he may draft the proper ordinance.

Prior to the vote taken, Town Administrator Mederos stated that the police reported to her that there were ample parking spaces in this neighborhood so as to accommodate the request. She further stated that she visited the site this date and the situation as presented seemed to allow for accommodation of Mr. Brando's request.

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Council Chairman Marshall reminded those present that Mr. and Mrs. Gibree objected to this request.

5. Patrick and Gail Conley, One Bristol Point Road - request to rename portion of Tower Road to Pokanoket Place, continued from May 23, 2007
  - a. Nicholas Ratti, Jr., 28 Hydraulion Avenue re advice to Town Council
  - b. Recommendation - Police Chief
  - c. Recommendation - Fire Chief Martin
  - d. Director of Community Development Williamson - request to continue this matter to July 11, 2007

It is hereby noted for the record that this matter was continued to July 11, 2007 based upon Council action this evening prior to consideration of its regular docket.

6. Edward P. Mara, Superintendent of Schools - request to place modular classroom at Byfield School, approved by Town Council June 21, 2006, for review

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

Prior to the vote taken, the Clerk reminded that Council that it was the intention of its honorable body to review this matter annually. He also noted that the renovations of Colt and Andrews Schools appear to be progressing and this action should soon eliminate the need to maintain this modular classroom structure on the Town Common.

7. Town Administrator Mederos re Walley Street

Barboza/Cordeiro - Voted unanimously to continue this matter until the meeting of July 11, 2007.

Prior to the vote taken, a discussion ensued regarding the exact location of the parking problem with Town Administrator Mederos noting that the problem appears to

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exist on Walley Street between Hope and High Streets with further consideration for the portion of High Street south to Hope Street. She also stated that were the Council to consider expanding the residential parking district to this area, neighbors should be in agreement, obtain parking stickers and abide by the rules of the district.

Councilman Cordeiro expressed concern that he might not be able to remain at the Lobster Pot Restaurant for more than two hours were the area to become part of the residential parking district.

Councilwoman Parella suggested that since the problem appears to be attributable to those persons going to Hog Island, the Council might consider a "no overnight parking without a resident sticker" ordinance.

Council Chairman Marshall suggested that the matter might require more study and suggested a continuance.

**BB. SPECIAL /STATUS REPORTS**

1. Mount Hope Enterprise Zone - Summary of Accomplishments, May 2007

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

**C. PUBLIC HEARINGS**

1. 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 Patrick V. Riccardi,  
Ricc's Ristorante, LLC, d/b/a Ricc's Italian  
Ristorante, 200 Gooding Avenue
  - a. Recommendation - Town Administrator and  
Police Chief
  - b. Objection to transfer - Heather  
Davenport, E.B. Thomsen, Inc. re \$949.58
  - c. Objection to transfer - Nick  
Castigliengo, Nick's Fish Market re \$3900
  - d. Objection to transfer - Paul J. Pisano,  
Esquire for various distributors re  
\$1426.74

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LATE ITEM e. Joseph M. Faria, 26 Goulart Avenue -  
objection to transfer

LATE ITEM f. Sample menu

LATE ITEM g. Recommendation - WPCF

Barboza/Parella - Voted unanimously  
to close the Public Hearing.

Barboza/Parella - Voted unanimously  
to approve the transfer of this  
license subject to the satisfaction  
of all debts, conformance to all  
state and local laws and  
ordinances, and payment of all  
taxes, fees and levies.

Prior to the votes taken, Council Chairman Marshall opened  
the public hearing.

Alfred Rego representing Sage Bar and Grill informed the  
Council that his client intends to satisfy all debts as a  
condition of this transfer.

Peter Collias, Esq., representing the transferee informed  
those present that Mr. Riccardi was present in the audience  
to answer any questions for the Council's further  
edification. He also noted that Mr. Riccardi was  
experienced in the restaurant trade and planned to open a  
"middle-grade" Italian restaurant.

No remonstrance was presented in opposition to this  
transfer.

2. Vic-Cab Spirits and Liquor, Inc., Arthur  
Cabral, d/b/a Bristol Liquors, 390 Metacom  
Avenue - request to transfer Class A  
Intoxicating Beverage License to Bristol  
Liquors, Inc., Mario and Irene Alves, d/b/a  
Bristol Liquors, 390 Metacom Avenue
  - a. Recommendation - Town Administrator and  
Police Chief
  - b. Objection to transfer - Rita Crabtree,  
1014 Hope Street, Bristol, RI re  
\$171,205.87

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- c. Objection to transfer - Paul J. Pisano, Esquire for various distributors re \$9209.51

LATE ITEM

- 1. Paul J. Pisano, Esquire - Amended objection to transfer

LATE ITEM

- d. William P. Dennis, Esquire (via fax) - re objection of Rita Crabtree

LATE ITEM

- e. Rita Crabtree re withdrawal of previous objection

Cordeiro/Parella - Voted unanimously to close the Public Hearing.

Cordeiro/Barboza - Voted unanimously to approve the transfer of this license subject to the satisfaction of all debts, conformance to all state and local laws and ordinances, and payment of all taxes, fees and levies.

Prior to the vote taken, Council Chairman Marshall opened the public hearing.

Speaking in favor of the transfer of license was William Paul Dennis, Esq. representing the parties. Mr. Dennis stated that the outstanding indebtedness would be resolved prior to the transfer of the license.

He also noted that Mr. and Mrs. Alves, the proposed transferee currently operate the Sunset Café in Bristol.

No remonstrance was presented in opposition to the transfer.

D. ORDINANCES

- 1. Ordinance #2007-18, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, 2<sup>nd</sup> **reading for adoption**

Barboza/Cordeiro - Voted unanimously to consider this action

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to be the second reading for  
adoption of Ordinance #2007-18.  
Advertise in local newspaper.

2. Ordinance #2007-19, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, **2<sup>nd</sup> reading for adoption**

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to be the second reading for  
adoption of Ordinance #2007-19.  
Advertise in local newspaper.

**(CA) E. BUDGET ADJUSTMENTS**

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

1. Tax Assessor - Recommended Abatements

**(CA) F. APPOINTMENTS**

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

1. Public Service Appointments
  - a. Redevelopment Agency Alternate (1, two-year term to expire 9/07)
    1. Denise Arruda, 46 Anchorage Court - interest/appointment

Barboza/Cordeiro - Voted  
unanimously to instruct the Clerk  
to set an interview for Ms. Arruda  
at a mutually convenient time.

- b. Rogers Free Library Board of Trustees
  1. Elizabeth G. Brito, President - appointment of Fausto Anguilla due to resignation of Barbara Husband

**LATE ITEM**

- a. Resignation - Barbara Husband

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Barboza/Parella - Voted unanimously to acknowledge the resignation of Mrs. Husband with thanks and praise and to confirm the appointment of Mr. Anguilla.

(CA) 2. Public Service Appointments for July

G. LICENSING BOARD - NEW PETITIONS

1. Enzly Ramsay, d/b/a Ramsay's, Inc., 20 Paul Street - Request for Drainlayer's License

a. Recommendation - Director of Public Works

Cordeiro/Barboza - Voted unanimously to grant this license for a six (6) month probationary period based upon the recommendation of the Director of Public Works and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

2. Mario J. Alves, d/b/a Bristol Liquors, Inc., 390 Metacom Avenue - request for Sunday Sales License

a. Recommendation - Town Administrator and Police Chief

Cordeiro/Barboza - Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

3. David Williams, d/b/a Bristol Bakery, 89 Gooding Avenue, Unit #4 - request for Victualling License

a. Recommendation - William Rabideau WPCF

**LATE ITEM**

b. Recommendation - Police Chief

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Barboza/Parella - Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

4. Jamie Barriera, d/b/a Biggies Sausages, LLC, 80 Pontiac Avenue, Providence - request for Hawkers and Peddlers License

Barboza/Cordeiro - Voted unanimously to grant the license on a 90 day probationary basis, with service to the public no later than 11:00 PM, subject to the approval of the property owner of the proposed premises, an acceptable background check, and conformance to all State laws, local ordinances and payment of all fees, taxes and levies.

Prior to the vote taken, Town Administrator Mederos informed the Council that her office has not yet formulated a recommendation since the petition for the license was received late. She suggested that since the petitioner appears to be established elsewhere, this license might be granted subject to a successful background check and the permission of the property owner to operate on the premises.

Council Chairman Marshall stated that he was of the opinion that this license might be issued on a probationary basis for a period of 90 days.

5. Robert J. Fruggiero, d/b/a Central Nurseries, Inc., 1155 Atwood Avenue, Johnston - request for Drainlayer's License

Cordeiro/Barboza - Voted unanimously to grant this license for a six (6) month probationary period depending upon the recommendation of the Director of Public Works and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

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H. LICENSING BOARD - RENEWALS

1. Peddlers and Hawkers License Renewals - 2007/2008

Cordeiro/Parella - Voted unanimously to renew these licenses based upon the recommendations as received and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

2. Dancing and Entertainment License Renewals - 2007/2008

Barboza/Cordeiro - Voted unanimously to renew these licenses based upon the recommendations as received and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

3. Public Laundry License Renewals - 2007/2008

Barboza/Cordeiro - Voted unanimously to renew these licenses based upon the recommendations as received and subject to conformance to all State laws and local ordinances and payment of all fees, taxes and levies.

- a. Recommendation for all license renewals - Town Administrator and Police Chief

(CA) I. UTILITY PETITIONS

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

1. Sewer Permits - WPCF

J. PETITIONS - OTHER

1. Elsie Disano, 1014 Hope Street - request for payment of medical bills due to fall on sidewalk

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Barboza/Parella - Voted unanimously to refer this matter to the Insurance Committee.

Prior to the vote taken, it was noted for the record that the sidewalks in the vicinity of Chestnut Street will be repaired after the street is rehabilitated.

2. Roberta B. Merkle, Cornerstone Adult Services, Inc. - request for Town Council allocation to cover rent increase

Cordeiro/Parella - Voted unanimously to continue this matter until the regular meeting of July 11, 2007.

Prior to the vote taken, Councilman Barboza noted that this matter was discussed during budget deliberations and the Council decided not to fund the request to this extent. He also noted that the Council's current contingency fund is depleted and this request would require approximately 50% of next year's Council contingency appropriation if approved.

Councilman Barboza also stated that he was in agreement that the organization provides a valuable service but it was difficult for the Town to subsidize same. Councilman Cordeiro stated that he agreed with Councilman Barboza regarding this matter.

Councilwoman Parella stated that the Council did express its concerns regarding the marked increase in rent, etc., as imposed by the East Bay Community Development Corp. She noted that the Council asked for an explanation of this increase during its budget deliberations.

She also noted that the agency had requested \$37,000 and that this amount appears to be more reasonable and may allow it three (3) month's time to secure sustaining funds and/or expand its client base.

Council Chairman Marshall stated that the agency is looking to make improvements to its financial situation and has secured the efforts of Jeanette Matrone in order to accomplish this. He also stated that the agency is looking for a new location with a lower rental cost; perhaps utilizing some of the property leased to DCYF in the same building. He also noted that the agency is hosting fundraising activities to earn subsidy funds. He suggested continuing the matter for further investigation.

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Councilman Cordeiro noted that the agency has several other locations for adult day services within the State and that these do not appear to be having the same degree of difficulty with expenses and clients. He speculated that the agency might be able to subsidize its own operation from revenues received from its operations overall.

Councilman Barboza stated that the Council should not consider a subsidy without a review of the organization's balance sheet and suggested that Town Treasurer Day might request and review these documents. He also defended the increase in rental and meal costs by the East Bay Community Development Corp. (EBCDC), noting that this agency has effectively subsidized Cornerstone for many years.

Councilwoman Parella agreed that the EBCDC had provided subsidies but expressed concern that the rental/meals cost increase was dramatic and perhaps might have been phased-in over time if possible.

Council Chairman Marshall stated that he understood that the EBCDC was given few options regarding this matter and was essentially forced to expect the increase in rent and meals.

3. Linda C. Arruda for Downtown Bristol Merchants Association - various concerns of merchants

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

Parella/Cordeiro - Voted  
unanimously to instruct the Clerk  
to correspond with those  
establishments holding intoxicating  
beverage licenses; reminding them  
that it is unlawful to allow  
patrons to leave the establishments  
with open drink containers.

Prior to the vote taken, Ms. Arruda informed the Council that the Downtown Merchants were in receipt of planters containing impatiens and begonias and that these were installed through the efforts of Vicky White and local-area boy scouts.

She also noted merchants' concerns regarding those establishments that allow patrons to leave their premises with beer bottles at closing time. She noted that it is not

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uncommon for these patrons to litter the town with these bottles and/or break same on the street and sidewalk.

Councilman Barboza stated for the record that approximately 95% of the Town's law enforcement personnel are devoted to the alcoholic beverage establishments near and at closing time.

Councilwoman Parella suggested that the Town might correspond with the alcoholic beverage establishment owners and remind some of the regulations and Town's expectations regarding decorum at closing time. She asked Ms. Arruda if any of the alcoholic beverage establishment owners belonged to the downtown merchants association with Ms. Arruda explaining that there were two (2) such members and that neither of these appear to be contributing to the problem as observed.

Councilman Cordeiro stated that the owners of the alcoholic beverage establishments must be made aware of the Council's expectations and should otherwise face a show-cause hearing.

Councilman Barboza stated that the alcoholic beverage establishment owners should do their part to monitor the situation near their establishments.

Ms. Arruda also expressed concern that some vehicles have sustained side-mirror damage when parked in the area between Constitution and Church Streets. She stated that large vehicles tend to traverse the section of Hope Street between Constitution and Washington Streets at inappropriate speeds.

She also noted that a customer at a local establishment who sustained mirror damage found the police officer who responded to the scene of the accident as "dispassionate" and that this customer has refused to frequent the Hope Street establishment any longer.

Ms. Arruda stated that she personally would prefer having parking on only one side of Hope Street in this troublesome area with Councilman Cordeiro stating that he, too, would prefer to restrict parking and perhaps institute angled parking along one side of the street. He further stated that since Hope Street is a "State road" it is under the jurisdiction of the State and the Council's "hands are tied."

Councilman Barboza stated that through traffic of large trucks is forbidden by State law but trucks are allowed to traverse the area when making local deliveries. He further

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suggested that motorists might be suggested to 'tuck-in' their mirrors when parking in the troublesome area.

Councilwoman Parella stated that the Town might consider placing signs suggesting that motorist might 'tuck mirrors' and that the merchants in the area might place similar signs in their establishments.

Ms. Arruda also expressed concern that Belvedere development workers are parking in the downtown area versus the agreed-upon off-site parking with Town Administrator Mederos stating that she will investigate this matter and speak to those persons responsible for the work at the Belvedere.

Councilman Barboza noted for the record that the parking enforcement personnel have begun working in the downtown area and illegally parked vehicles will receive tickets.

Council Chairman Marshall stated that he appreciated the concerns raised by Ms. Arruda on behalf of the downtown merchants and thanked her for her efforts.

Ms. Arruda also noted the theft of some of the planters recently placed along Hope Street and informed those present that these have been replaced at great expense.

Councilwoman Parella stated that the owner of the "Pick and Pay" convenience store might be amenable to allow the public one or two parking spaces within its parking lot. Town Administrator Mederos agreed to contact the establishment so as to determine if this is feasible.

4. Gilbert Ferreira, 3 Third(School)Street - request for No Parking designation adjacent to driveway

**LATE ITEM** a. Recommendation - Director of Public Works

**LATE ITEM** b. Recommendation - Police Chief

Cordeiro/Barboza - Voted unanimously to refer this matter to the Town Administrator and to continue same until the meeting of July 11, 2007.

Prior to the vote taken, Town Administrator Mederos suggested that this matter might be continued since Police Chief Serpa and Public Works Director Serbst have provided

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conflicting recommendations. She agreed to investigate and attempt to resolve the matter.

5. Ronald and Linda Alegria, 19 Dartmouth Street - application for Zoning map change re portion of Dartmouth, Dixon and Naomi Streets, call **for Public Hearing for August 8, 2007**

Cordeiro/Barboza - Voted unanimously to set the public hearing regarding this matter for August 8, 2007 and to refer the petition to the Planning Board for a recommendation.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Maria Medeiros Wall, Cranston City Clerk - Resolution re increasing the fees of the Cranston Probate Court

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

2. John T. Lazzaro, Bristol County RI Lodge No. 1860, Benevolent Protective Order of Elks - invitation to attend award ceremony

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

Prior to the vote taken, Councilman Barboza noted for the record that this year's recipients for the awards are John Ferreira from the Police Department; John Paul Cloutier, Richard Sanford and Robert Holt from the Fire Department, and Harbormaster Joseph Cabral.

3. Louis A. Sousa, Esquire re proposed modification to Soil Erosion Ordinance
  - a. Proposed draft amendment to ordinance

Cordeiro/Barboza - Voted unanimously to refer this matter to the Town Solicitor, Planning Board, and Director of Community Development for recommendations.

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Prior to the vote taken, Director of Community Development Williamson stated that she plans to refer this matter to BETA Group for a recommendation also.

4. Dick Devault, Co-Chairman, Military Sub Committee, Bristol 4<sup>th</sup> of July Committee re visiting ship USS Stephen W. Groves

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

5. John A. Parmelee, CPA, Partner, Parmelee, Poirier & Associates, LLP re available accounting management and financial recordkeeping services

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

6. Councilman Herreshoff re motorcycle noise

Cordeiro/Barboza - Voted  
unanimously to continue this matter  
until the meeting of July 11, 2007.

Prior to the vote taken, Council Chairman Marshall read the correspondence from Councilman Herreshoff, noting that Council Herreshoff was in Valencia, Spain, for the America's Cup races.

Council Chairman Marshall stated that a few motorcyclists who chose to emit excessive noise make for a bad situation for all other owners of motorcycles. He stated that this behavior is "a shame and unnecessary." He suggested that the Town might install signs stating "this is a quiet community; please respect it" or some other similar verbiage. He asked Town Administrator Mederos to investigate same.

It was noted for the record that the Council budgets \$10,000 for motorcycle patrol issues.

Councilman Barboza suggested that the Town may wish to offer an op-ed article in the Providence Journal regarding compliance issues and that he was not certain if warning signs would deter any of the offenders.

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He also noted that enforcement of the Town's ordinance in this matter is difficult since it is not unusual for the police to stop the same person four times in one weekend. He suggested that the State might become more 'involved' through the passage of regulations with specific easy-to-define conformance issues.

Councilwoman Parella suggested that this might be a good topic for the policy breakfast to be held at Roger Williams University.

Councilman Barboza asked Police Chief Serpa if his department regularly stops motorcycle offenders with Police Chief Serpa responding affirmatively.

7. Councilman Herreshoff re Gazebo at Town Common

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

Prior to the vote taken, Council Chairman Marshall read the correspondence from Councilman Herreshoff with Town Administrator Mederos noting that the efforts to repair the gazebo were complete by a team of individuals including those in the Community Development and Public Works departments.

8. Councilman Herreshoff re Independence Park boat ramp

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

Prior to the vote taken, Council Chairman Marshall read the correspondence from Councilman Herreshoff and noted that Mr. Andy Tyska has offered his assistance toward the permanent resolution of this matter as an expert in marine launch sites.

Director of Community Development Williamson stated that she has been in contact with Domenic Franco, Chairman of the Harbor Commission regarding this matter and is investigating 'longer life' solutions. It was noted that some of this damage is precipitated by boaters who "gun their engines" in shallow waters thus displacing the sea-bottom.

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A discussion ensued regarding the responsible parties with Councilman Barboza stating that the ramp was intended for recreational boater use and that damage might be caused by those with non-recreational craft.

Director of Community Development Williamson stated that recreational boaters may also contribute to the problem and the pads installed for the launch-ramp may shift with use.

Councilman Barboza asked if the Town might be able to restrict use of the ramp with Town Solicitor Ursillo stating that this might not be possible.

Council Chairman Marshall stated that the problem must be resolved before the beginning of next year's boating season.

9. Jeffrey and Brenda Ferreira, 41 Basswood Drive - drainage concerns

**LATE ITEM** a. Comments from neighbors

**LATE ITEM** b. Jeffrey and Brenda Ferreira re Remedial requests

Parella/Barboza - Voted unanimously to ask Mr. Rod Wick to investigate the matter, provide a report for the Council's consideration at its meeting of August 8, 2007 and to share the report with Mr. and Mrs. Ferreira as it becomes available.

Prior to the vote taken, Council Chairman Marshall noted that the area in question is very problematic since there are severe drainage issues.

Director of Community Development Williamson stated that the area was evaluated years ago and it was noted that there are no storm drains. She also noted that the area has been determined to be a low-priority for mitigation.

Mr. Ferreira expressed a strong willingness to install a generator so as to operate his sump pump during emergencies but informed the Council that he was yet unaware as to where he might direct the water from the pump.

Councilman Barboza reminded those present of the Town's anti-runoff ordinance.

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Mr. Ferreira informed the Council that "everyone" in his neighborhood allows runoff to spill on to the street and this results in flooded streets since there are no catch-basins.

Mr. Ferreira stated that he was of the opinion that much of the drainage problem exists due to those who pump out wet basements and the mitigation might be found if there were building restriction regarding basements below water tables.

Councilwoman Parella asked what might be done to improve this situation with Mr. Ferreira asking if catch basins were too costly to consider.

Director of Community Development Williamson stated that she would provide the reports of Mr. Wick regarding this matter

Council Chairman Marshall noted that the area is very wet and many of the houses were built prior to the runoff ordinance.

Councilman Barboza reminded the Council that Director of Community Development Williamson recommended an ordinance restricting basements in attempt to resolve problems similar to the one discussed this evening but the Council did not adopt same after "1/2 dozen builders killed it."

Councilwoman Parella commended Mr. Ferreira's willingness to help work toward a solution to the problem.

Mr. Ferreira told him that he was informed of a potential solution by contractor Michael Fonseca but it appears that the solution is also illegal.

Councilman Cordeiro reminded those present that pumping water on to the public street is illegal.

Councilwoman Parella suggested that the Council might wish to receive a report from Administration regarding this matter at its August meeting.

Town Administrator Mederos stated that Mr. Wick's solutions can be discussed with Mr. Ferreira but these might prove too costly to consider.

Council Chairman Marshall asked if storm drains might be installed so as to send the runoff toward Mt. Hope Bay with Director of Community Development Williamson stating that it would be best to review the reports of Mr. Wick. She also

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noted that this potential solution might raise the concerns of the Coastal Resources Management Council.

10. Councilwoman Parella re Dixon Avenue

- a. Town Council meeting minutes of April 23, 2003
- b. Supporting documents from various Town Council meetings

Parella/Cordeiro - Voted unanimously to refer this matter to the Town Solicitor and to anticipate an update regarding the situation as described before the meeting of August 8, 2007.

Prior to the vote taken, Michele Martins of 59 Naomi Street informed the Council that several residence properties on Dixon Avenue are in a state of serious disrepair and one property, 5 Dixon Avenue, has been derelict for at least seven (7) years. She informed those present that she has become aware that the dilapidated building is "incredibly unsafe" and has missing floor boards and dead wild animals within it. She also expressed concern that the building is unsecured with open windows.

It was further noted that when this property was discussed several years ago before the Council, former Town Administrator Joseph F. Parella informed those present that the bank-property owner agreed to "maintain the property" to some minimal standard. Ms. Martins informed the Council that little has been done since Mr. Parella's report.

Town Administrator Mederos stated that Jack Evans, Code Compliance Officer, has been in contact with the property owner and was assured that the property would be secured this date. It was noted for the record that the property, in fact, has not yet been secured.

Town Solicitor Ursillo agreed to speak to Mr. Evans in order to determine if a public nuisance exists on the property and if so he will prepare an official notice of violation and summons the property owner to the Municipal Court for an official hearing.

11. Town Administrator Mederos re mosquito nuisances and ordinance for control on private property

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Barboza/Parella - Voted unanimously to refer this matter to Town Solicitor Ursillo so that he might draft the proper ordinance language.

12. Town Administrator Mederos re request for street light from East Bay CDC at 25 Catherine Street

Cordeiro/Parella - Voted unanimously to continue this matter until the meeting of July 11, 2007.

Prior to the vote taken, a discussion ensued regarding this request.

Town Administrator Mederos noted that the EBCDC will "help pay for the installation" and there is an existing pole on the property on which to install the light.

It was noted for the record that the need for street lights "fell through the cracks" at the TRC level and the EBCDC expects that the Town should pay the utility costs for the light in perpetuity.

A discussion ensued regarding the location of the pole and it was noted for the record that the pole in question was on private property and not on a Town road or right of way.

Councilwoman Parella asked if the Town's participation in this case would count as part of the local subsidy of affordable housing with Director of Community Development Williamson stating that she was unsure if the Town would receive credit for this type of contribution.

Councilwoman Parella stated that she was concerned that if the Town chose to subsidize this private property without a credit toward affordable housing it might create a difficult precedent.

Council Chairman Marshall stated that the area was definitely dark and the neighbors were concerned about security.

It was suggested that the property owners might install inexpensive light fixtures on their buildings.

L. BILLS & EXPENDITURES

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1. Bid #636 Sale of Police Vehicle

**LATE ITEM**

- a. Gregory Raposa, 145 Franklin Street,  
No. 2, re Bid L1, June 13, 2007.

Cordeiro/Barboza - Voted unanimously to refer this matter to the Town Administrator and Chief of Police to act in the best interest of the Town.

Prior to the vote taken, the Clerk informed the Council that this bid had been duly advertised on May 24, May 31, and June 7, 2007 per accepted practice.

2. Bid #637 Water Pollution Control Facility  
Laboratory Services

Barboza/Parella - Voted unanimously to refer this matter to the Town Administrator and Superintendent of Water Pollution Control to act in the best interest of the Town.

Prior to the vote taken, the Clerk informed the Council that this bid had been duly advertised on May 24, May 31, and June 7, 2007 per accepted practice.

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. Town Treasurer - Revenue and Expenditure  
Report June 8, 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."**

1. USDA Farm Services Agency - proposed change  
to local administrative area boundaries

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2. Jack Evans, Code Compliance Coordinator and Diane Williamson, Director of Community Development - complaints of illegal dumping in vicinity of South Lane R.O.W.
3. Invitation and Program - Rogers Free Library Groundbreaking Ceremony
4. Council Clerk Cirillo to Dyanne Gibree, ACS, Bristol Police Department, Division of Animal Control - resolution of Town Council declaring the Bristol Animal Shelter a "no-kill animal shelter"
5. Town Clerk/Council Clerk Cirillo to John M. Allen, et al - recognition of participants of "Voices for Bristol's Future"
6. Town Administrator Mederos - Award of Bid #635 Summer Busing Program to Laidlaw Education Services, 327 Market Street, Warren, RI
7. Martha C. Heald, P.E., BETA Group, Inc. - Silver Creek Project memorandum
8. Council Clerk Cirillo to Roy J. Nirschel, President Roger Williams University - Town Council resolution establishing scholarship program re proceeds of book Bristol: Beyond Beautiful published by Joseph Antinucci
9. Council Clerk Cirillo to Edward Carusi - congratulations on appointment as Director of Human Services
10. Town Clerk/Council Clerk Cirillo to Mr. and Mrs. Anthony V. Proto - letter of gratitude re report of sinkhole
11. Charles J. Levesque, Senator District 11 to Gary Alexander, Acting Director, Dept. of Human Services re support of Department of Human Services/Welfare relocation of office to Middletown

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

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

1. Bristol County Water Authority - June 2007 Meeting Schedule
  2. Bristol County Water Authority - June 2007 Amended Meeting Schedule
  3. Coastal Resources Management Council - June 2007 Calendar
  4. Coastal Resources Management Council - Cancellation Notification of meeting
  5. Harbor Commission - June 4, 2007 Agenda
  6. Bristol Warren Regional School District - Schedule of meetings and events for week of May 28, 2007
  7. Bristol Warren Regional School District - Schedule of meetings and events for week of June 4, 2007
  8. Policy/Community Subcommittee/Bristol Warren Regional School Committee - Meeting notice for June 4, 2007
  9. Bond Project/Building Committee/Bristol Warren Regional School Committee - Meeting notice for June 5, 2007
  10. Bristol Warren Regional School Committee - Agenda for June 5, 2007
  11. Coastal Resources Management Council - Agenda re June 12, 2007 meeting
  12. Coastal Resources Management Council - Meeting Notice re extension of assent agreement of Robert & Janet Frost
- S. TOWN SOLICITOR
- Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS
1. MARSHALL

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a. 4<sup>th</sup> of July - Council Chairman Marshall noted the upcoming 4<sup>th</sup> of July events and wished all present a safe holiday.

2. CORDEIRO

a. Boat Show - Councilman Cordeiro noted that he was in contact with Joseph Cabral, Harbormaster and head of the Boat Show; learning that the Show raised \$10,000 that will be distributed to local charities.

3. PARELLA

a. Happy 4<sup>th</sup> - Councilwoman Parella noted that this was the Council's last meeting prior to the 4<sup>th</sup> of July holiday and wished all present a happy holiday.

The Clerk reminded the Council that its honorable body has scheduled a BRAC workshop on June 20, 2007 beginning at 7:00 o'clock PM.

4. BARBOZA

a. Uncommon Art - Councilman Barboza extended congratulation on behalf of the Council to Tony Margiotta and those involved with Uncommon Art on the Common which was held last week-end and deemed a great success.

b. 4<sup>th</sup> of July - Councilman Barboza wished all present a happy 4<sup>th</sup> of July holiday.

c. Irene Barboza - Councilman Barboza recognized his mother's birthday on June 14 (year omitted for confidentiality).

5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Blithewold Annual Meeting report - Town Administrator Mederos noted fort he record that she was late for this evening's meeting since she was invited to attend the Annual Meeting of Save Blithewold where she received a plaque on behalf of the Town Council and her office. She explained that the plaque was presented in recognition of

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 13, 2007**

the Town's efforts toward the success of Save Blithewold during the past year.

b. Class of 2007, Mount Hope High School - Town Administrator Mederos reported that she was a guest at the recent High School graduation and noted same as "very impressive" particularly the comments of the Class President, Valedictorian, and Salutatorian.

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**CITIZENS PUBLIC FORUM**

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Barboza/Cordeiro - Voted unanimously to adjourn into Executive Session pursuant to RIGL 42-46-5 (a) 5 to discuss confidential matters relative to property acquisition.

Parella/Barboza - Voted unanimously to seal the minutes of the Executive Session and resume open session at 10:00 o'clock PM.

There being no further business upon a motion by Councilwoman Parella, seconded by Councilman Barboza and unanimously approved, the Chairman declared this meeting adjourned at 10:01 o'clock PM.

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Louis P. Cirillo  
Council Clerk