

PRESENT: Marshall, Cordeiro, Barboza and Herreshoff

ALSO PRESENT: Michael A. Ursillo, Town Solicitor  
Marshall J. Netto, Town Sergeant

ABSENT: Parella

ALSO ABSENT: Town Administrator Mederos

The Council met in regular session on Wednesday evening, November 7, 2007 in the Town Hall, Council Chambers beginning at 7:08 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda it was noted for the record that Councilwoman Parella was unable to attend this meeting since she is out of Town. Councilwoman Parella extends her apologies for her absence. It was also noted for the record that Town Administrator Mederos is ill and will not be in attendance this evening.

#### **Special Presentation - Dawn Butterfield**

Council Chairman Marshall noted that Ms. Butterfield was the recent recipient of the Fitness Universe award after recently being awarded the Fitness America title. He further noted that Ms. Butterfield, a resident of Bristol, was the first woman to win both titles.

He presented a Commendation on behalf of the Town Council and Town Administrator Mederos and asked Councilman Cordeiro to present a citation from the United States Senate as provided by Senator Jack Reed and asked Councilman Herreshoff to present a congressional citation as provided by United States Rep. Patrick J. Kennedy.

Ms. Butterfield thanked the Council for its recognition and responding to a question posed by Council Chairman Marshall, agreed to volunteer her expertise in health and fitness for the benefit of the Recreation Department.

#### **Displaced Workers**

Council Chairman Marshall also noted that he and Councilman Cordeiro recently attended a meeting with representatives from the Rhode Island Department of Labor and Training and the Rhode Island Economic Development Corporation concerning those workers who may be or become displaced. He explained that this action, taking place "behind the scenes" will

provide opportunities for those displaced workers in the form of retraining.

**Flu Immunization Clinic**

Council Chairman Marshall also noted the upcoming flu immunization clinics; informing those present that there will be a clinic in Town Hall on December 5, 2007 and elsewhere on different days.

**RWU Senior Yard Work Volunteers**

Council Chairman Marshall noted a recent newspaper article that explains the availability of Roger Williams University to complete yard work for senior citizens. This activity will take place on November 17 and 18, 2007 and those interested should contact the Benjamin Church Senior Center at 253-8458.

**Ms. Candace Pansa, Executive Director Bristol Housing Authority - Presentation of PILOT check**

Ms. Pansa thanked the Council on behalf of her Board of Commissioners for the continued cooperation and excellent working relationship. She presented a payment in lieu of taxes in the amount of \$48,544.

Councilman Barboza thanked Ms. Pansa for the Authority's providing meeting space for the Pastime Theatre Foundation at its community room.

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

Barboza/Herreshoff - Voted  
unanimously to approve the Consent  
Agenda.

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

1. Town Council Meeting - October 10, 2007

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

2. Town Council Workshop - October 17, 2007

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

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

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

1. Bristol Housing Authority - August 1, 2007
2. Bristol Housing Authority - September 13, 2007
3. Bristol County Water Authority/Board of Directors - September 18, 2007
4. Bristol County Water Authority/Audit Finance Committee - October 2, 2007
5. Bristol County Water Authority/Engineering Committee - October 2, 2007
6. Bristol County Water Authority/Public Relations/Personnel Committee - October 2, 2007
7. Bristol County Water Authority/Executive Director's Report - October 2007
8. Special Planning Board - October 2, 2007
9. Planning Board - September 18, 2007
10. Fourth of July Committee - August 14, 2007
11. Substance Abuse Prevention Task Force - October 15, 2007
12. Bristol Warren Regional School Committee - September 24, 2007
13. Bristol Warren Regional School Committee - October 1, 2007
14. Bristol Warren Regional School Committee - October 9, 2007
15. Redevelopment Agency - September 27, 2007

B. OLD BUSINESS

1. Alfred J. Moscola, General Manager, Rhode Island Public Transit Authority to Senator David E. Bates re Providence/Newport ferry stopping at Colt State Park

Herreshoff/Cordeiro - Voted unanimously to continue this matter until the meeting of November 21, 2007.

Prior to the vote taken, Council Chairman Marshall explained that the proposed dock at Colt State Park may be inadequate for ferry service since its waters are shallow at low tide. He expressed concern that Mr. Moscola may have "given up too quickly" however and that some other dock, yet to be considered, might serve the purpose adequately.

Councilman Herreshoff noted that the dock at the Herreshoff Marine Museum is in water sufficiently deep and this might be a suitable alternative. He volunteered the use of the dock should the State wish to utilize same.

Councilman Barboza stated that he was in contact with Senator Bates who indicated that he would be most willing to support suitable alternatives for dock space.

Councilman Cordeiro reminded the Council that dock space was not the only consideration since parking for commuter cars would also be of concern.

Councilman Herreshoff agreed that parking should be a consideration. He also suggested that the Council might propose a brief trial period at a suitable location in Bristol Harbor and that the ferry service might be able to make an evaluation determining if there is sufficient public interest to support a regularly scheduled ferry stop in Bristol.

2. Rodney W. Wick, Caputo and Wick, Ltd. - report and recommendation on masonry deterioration of Community Center Wall, continued from October 10, 2007

Herreshoff/Cordeiro - Voted unanimously to continue this matter until the regular meeting of November 21, 2007.

Prior to the vote taken, Director of Community Development Williamson informed the Council that news on the possible grant from the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) was due by mid-November and that she remained optimistic regarding same.

She also noted that the initial quotation for repairs was supported by another quotation from a different vendor; this being sought so as to determine if the original quote, received based upon the emergency nature of the repair, was sensible. She explained that the second quote was a higher price than the first quote.

A discussion ensued concerning the installation of brick as the repair material with Director of Community Development Williamson noting that the RIHPHC prefers brick but may agree to a modification to the accepted design.

Council Chairman Marshall asked when the project might be completed with Recreation Director Burke explaining that the construction project will take three to four weeks once it begins.

3. Linda Oliveira, 15 Pawtucket Avenue re drainage problems, continued from October 10, 2007

Cordeiro/Herreshoff - Voted  
unanimously to continue this matter  
until the regular meeting of  
November 21, 2007.

Prior to the vote taken, Council Chairman Marshall noted that there may be a resolution to the problem prior to the next meeting.

4. Susan Lemois, 243 State Street - request for handicapped parking space, **2<sup>nd</sup> reading for adoption**

Barboza/Herreshoff - Voted  
unanimously to grant the request.

5. Joseph Carosi, 114 Berry Lane - request for installation of berm to address drainage issue, continued from October 10, 2007

Herreshoff/Cordeiro - Voted  
unanimously to continue this matter

until the regular meeting of  
November 21, 2007.

Prior to the vote taken, Public Works Director Serbst reported that he expects to have prices for the repair work by the end of the week and will select the appropriate contractor shortly thereafter.

Councilman Herreshoff asked if the installation of the berm was necessary with Public Works Director Serbst explaining that the road has a severe crown and that this repair might be temporary but should be relatively inexpensive. He also stated that he was of the opinion that the work was a necessity.

6. Dom Franco, Chairman, Harbor Commission re request for memorial plaque from Susan Degan, continued from October 10, 2007

Herreshoff/Cordeiro - Voted  
unanimously to continue this matter  
until the meeting of November 21,  
2007.

Prior to the vote taken, the Clerk informed the Council that he has been in contact with Ms. Degan and that she plans to visit Bristol within the next few weeks. He also noted that Councilman Barboza has agreed to meet with Ms. Degan so as to determine a suitable solution.

7. Councilman Herreshoff re noise ordinance levels, continued from October 10, 2007
  - a. Karen Binder, Executive Director, Blithewold to Council Clerk re request to continue or table

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

Prior to the vote taken, the Clerk informed the Council that the parties remain in mediation and that he will place a request from either party on a future Council docket under Old Business should the need arise.

8. Councilman Barboza re Pastime Theatre Foundation

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

Prior to the vote taken, Bev Larson and Diana Campbell of the Pastime Theater Foundation addressed the Council. These members of the Foundation explained the mission of their organization and plan to coordinate information for other local performing arts non-profits.

They also explained the development of a community arts calendar that will be eventually linked to the Town's website as a community service.

The two also explained the establishment of a "Bristol Arts Round Table" to encourage local arts collaborations, sharing of resources, etc.

Councilman Barboza explained that the recent local performances of the 2<sup>nd</sup> Story Theater at the Bristol Statehouse have proved that performing arts opportunities provide excellent economic development opportunities for local restaurants, etc. He further noted that an active Pastime Theater group will advance this economic goal and that the Town "cannot afford to let it go (away)."

9. W. Michael Sullivan, Director, RI Department of Environmental Management to Town Administrator Mederos re rest rooms on East Bay Bicycle Path

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

Prior to the vote taken, Council Chairman Marshall read Mr. Sullivan's letter aloud.

Recreation Director Burke reported that the plans for the restroom facilities include a "welcome to Bristol" sign.

Councilman Herreshoff stated that the idea to convert the former pump station to restrooms was a positive one. He noted that the building is "well placed and appropriate" for the purpose. He cautioned, however, that any plan for this type of project should include provisions for "management and cleanliness" and if the facility is not "spotlessly clean" it might reflect badly upon the community.

Councilman Cordeiro suggested that Bristol should be considered the "start of the bike path" and not be described as its end.

Council Chairman Marshall echoed Councilman Herreshoff's sentiments regarding maintenance and cleanliness of the proposed restroom facility with Mr. Burke noting that the facility must be constructed with these factors in mind.

Councilman Herreshoff added that it must be the practice of those in charge to carefully monitor the operation of the facility so that it does not become uncontrollable.

BB. SPECIAL /STATUS REPORTS

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

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

Prior to the vote taken, Councilman Herreshoff stated that the report of Mr. Crisman was "most welcome" and that the Town was fortunate to have Mr. Crisman working on its behalf. He also congratulated Council Chairman Marshall and Councilman Cordeiro for their active participation on the Enterprise Zone Council.

Council Chairman Marshall noted that the Enterprise Zone has been active toward the promotion of the local marine trades and further noted that Mosaico CDC will provide grants for worker training.

2. Bristol Housing Authority - Annual Report 2007

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

Prior to the vote taken, Council Chairman Marshall read the Authority's Mission Statement and commended Executive Director Pansa for her efforts on behalf of the Town.

3. Town Administrator Mederos re Department Head Reports filed.
  - a. Water Pollution Control - September and October 2007

- b. Fire and Rescue - October 2007
- c. Rogers Free Library - October 2007
- d. Parks and Recreation - October 2007
- e. Public Works - July 2007
- f. Public Works - August 2007
- g. Public Works - September 2007
- h. Human Services and Welfare - September and October 2007
- i. Building Inspection - September 2007
- j. Building Inspection - October 2007

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

Prior to the vote taken, Council Chairman Marshall noted that the information contained within these reports enables the Council to have a more open dialogue with the various departments and that this aids Council members in their liaison with their constituents.

C. PUBLIC HEARINGS

- 1. Ordinance #2007-21, CHAPTER 28, ZONING, Article IX, Land Development Projects and Special Zones, Division 2, Development in Areas of Special Flood Hazard
  - a. Ordinance #2007-21, CHAPTER 28, ZONING, Article IX, Land Development Projects and Special Zones, Division 2, Development in Areas of Special Flood Hazard, **REVISED**
    - 1. Diane Williamson, Director of Community Development - support of revision
    - 2. James Farley, Chairman, Planning Board - support of revision

Barboza/Cordeiro - Voted  
unanimously to adopt Ordinance  
2007-21 as revised including those  
miscellaneous edits and amendments  
as presented by the Director of  
Community Development attached  
hereto.

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

Speaking in favor of the adoption of said ordinance was  
Director of Community Development Williamson who presented  
the Council with a list of miscellaneous edits and  
amendments; explaining that these are recommended to clarify  
the various provisions of the ordinance. She also explained  
that the ordinance is proposed so as to conform to Federal  
guidelines for flood insurance.

No further remonstrance was presented in favor or in  
opposition to the proposed ordinance.

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

Councilman Herreshoff asked if the impetus for these  
amendments began with State or Federal Government with Town  
Solicitor Ursillo responding that the requirements began  
with Federal regulations and were 'filtered' through the  
state agencies. He further noted that the Town is  
implementing these changes so as to assure that its citizens  
will be able to obtain flood insurance.

Director of Community Development Williamson further  
explained that one of these amendments changes the fee  
collected for permits from \$1 per \$1000 of project cost to  
\$2.

Director of Community Development Williamson further noted  
that "complicated" plans are typically reviewed by an  
engineer on behalf of the Town and these costs are borne by  
the property owner.

Councilman Herreshoff asked what might happen in the case of  
a building project that exceeds 50% of the existing  
'grandfathered' building with Director of Community  
Development Williamson explaining that this building would  
then be compelled to comply with the current regulations.  
She also explained that the new ordinance establishes a

method so as to determine the 50% of value as it relates to the project.

Councilman Cordeiro noted that the proposed ordinance should remove some of the "gray areas."

Council Chairman Marshall asked what would be the impact of those projects currently in the "pipeline" with Director of Community Development Williamson stating that if these were substantially complete there would be no impact but those in the beginning stages of development would be subject to the new regulations.

2. Intoxicating Beverage License Renewals - 2007/2008

a. Recommendation - Police Chief

b. Recommendation - Fire Chief

Cordeiro/Herreshoff - Voted unanimously to close the public hearing.

Cordeiro/Barboza - Voted unanimously to renew these licenses subject to conformance to all applicable laws and ordinances and payment of all fees, taxes, and levies (see below\*).

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

\*Fire Chief Martin explained that since his recommendation was drafted, only one of the problem establishments remained out of compliance; the Portuguese Independent Band Club. It was noted that the Clerk will not issue a license renewal to this establishment unless Fire Chief Martin provides his express approval.

No additional remonstrance was presented by any party in favor or in opposition to these renewals.

D. ORDINANCES

1. Ordinance #2007-21, CHAPTER 28, ZONING, Article IX, Land Development Projects and Special Zones, Division 2, Development in

Areas of Special Flood Hazard, **REVISED 2<sup>nd</sup>**  
**reading for adoption**

It is hereby noted for the record that action on this agenda item was resolved as part of docket item C1.

2. Ordinance #2007-31, CHAPTER 29, Soil Erosion, Runoff, and Sediment Control, Article III, Soil Erosion, Runoff and Sediment Control Plan, Section 29-59, Performance Principles, (version 1), **2<sup>nd</sup> reading for adoption**
  - a. MaryKae Wright et al re petition for Public Hearing pursuant to Town Charter Sec. 208 (c).

Herreshoff/Cordeiro - Voted unanimously to schedule a public hearing for this matter for Wednesday, November 28, 2007 and to instruct the Clerk to schedule interviews for Public Service appointments also; the Public Hearing to commence after the scheduled interviews.

3. Ordinance #2007-33, CHAPTER 25, Streets, Sidewalks and other Public Places, Article 1, Section 25-5, Streets, parks or common excavations, curb to curb paving and cold planing, **2<sup>nd</sup> reading for adoption** (replaces 2007-30)

Barboza/Cordeiro - Voted unanimously to consider this action to be the second reading of Ordinance #2007-33 for adoption. Advertise in local newspaper.

Prior to the vote taken, Councilman Herreshoff asked if the \$1000 bond specified was sufficient with Town Solicitor Ursillo noting that his office will resolve this matter with Public Works Director Serbst.

4. Ordinance #2007-34, CHAPTER 11, Fees and Charges , Section 11-1, Comprehensive Schedule of Fees, new item 74, penalties for no permits, **2<sup>nd</sup> reading for adoption**

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to be the second reading of  
Ordinance #2007-34 for adoption.  
Advertise in local newspaper.

5. Ordinance #2007-35, CHAPTER 25, Article III,  
Construction of driveways, Section 25-37 and  
Sections 13-62 through 13-66, **1<sup>st</sup> reading**

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

Prior to the vote taken, Director of Community Development Williamson stated that she and Public Works Director Serbst have concerns regarding the administration of this Ordinance and asked that it might be tabled so as to allow time to perhaps draft a more suitable ordinance. It was suggested that related Ordinance #2007-36 might be tabled also.

6. Ordinance #2007-36, CHAPTER 11, Fees and  
Charges, Section 11-1, Comprehensive schedule  
of fees, (74) Driveway permit, **1<sup>st</sup> reading**

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

7. Ordinance #2007-37, CHAPTER 11, Fees and  
Charges, Section 11-1, Comprehensive schedule  
of fees, (75) Historic District Commission,  
**1<sup>st</sup> reading**

- a. Historic District Commission - approval  
of fee schedule

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to be the first reading of  
Ordinance #2007-37. Advertise in  
local newspaper.

Prior to the vote taken, a discussion ensued concerning the Council's contemplation of using some of the fees collected to offset extraordinary costs for those who live in the Historic District having limited financial resources.

Councilman Barboza cautioned that such a program might be difficult to manage and that it must have some benchmarking so as to determine hardship.

Councilman Herreshoff agreed with the sentiments as noted by Councilman Barboza and stated that the Council should move cautiously with this type of program lest it will become "an awful mess."

It was decided by consensus that this idea should be referred to the Town Solicitor and Director of Community Development for a recommendation.

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo re recommended abatements and additions

(CA) F. APPOINTMENTS

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

1. Public Service Appointments
  - a. Recreation Board (2)
    1. Michelle Mascena, 381 High Street - interest/appointment
    2. N. Diane Davis, 25 Butterworth Avenue - interest/appointment
    3. Warren Rensehausen, 112 Church Street - interest/appointment
  4. Nancy Chase, 21 Constitution Street - interest/appointment

**LATE ITEM**

Cordeiro/Herreshoff - Voted unanimously to instruct the Clerk to set interviews for Ms. Mascena and Ms. Chase.

Prior to the vote taken, it was noted for the record that Ms. Davis and Mr. Rensehausen were well-known to all Council members and an interview would be unnecessary in both cases.

b. Personnel Board

1. Richard T. Giannini, 121 Franklin Street - resignation
2. Rhonda A. Nunes, 59 Fox Hill Avenue - interest/appointment

Councilman Barboza nominated Ms. Nunes for appointment.

Barboza/Herreshoff - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Nunes to fill the unexpired term of Mr. Giannini (12-16-07).

Barboza/Herreshoff - Voted unanimously to send a letter of thanks to Mr. Giannini for his service on the Personnel Board.

c. Substance Abuse Prevention Task Force

1. Warren Rensehausen, 112 Church Street - interest/appointment

Councilman Barboza nominated Mr. Rensehausen for appointment.

Barboza/Cordeiro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Rensehausen, term to expire in January 2009.

d. Redevelopment Agency -Second Alternate

1. Robert Aldrich, 7 Fox Hill Avenue - interest/appointment

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to set an interview for Mr. Aldrich.

e. North and East Burial Grounds Commission (1)

1. Marcia Bickford Torrey, 80 Charles Street - interest/appointment
2. Edward Carusi, 64 Mt. Hope Avenue - interest/appointment

Herreshoff/Cordeiro - Voted unanimously to set an interview for Ms. Torrey.

Prior to the vote taken, it was noted for the record that Mr. Carusi is well-known to all Council members and an interview would be unnecessary in his case.

**(CA)**

2. Public Service Appointments for December
3. Town Administrator re appointments to State Street Wharf Upgrade Committee

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

4. Council Clerk re Harbor Commission Chairman's appointments to State Street Wharf Upgrade Committee

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

**LATE ITEM 5.** Historic District Commission re appointment to State Street Wharf Upgrade Committee

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

Herreshoff/Cordeiro - Vote increase the total membership of this Committee to nine (9) with two (2) additional members also as appointed by the Chairman.

Prior to the vote taken, Council Chairman Marshall noted his appointments as Frank J. Sylvia of 78 High Street and Frank Brown, Jr. of 9 Sunnyside Avenue. Council Chairman Marshall also noted the apparent need to have additional members appointed to the Committee. He suggested that he would appoint Joseph Asciola

of 1220 Hope Street and Stephen Cornwall of 135 Sunrise Drive to fill these positions.

It was further noted that the Harbormaster will be an ex-officio member of the committee and either he or his designee may serve in this capacity.

G. LICENSING BOARD - NEW PETITIONS

1. Analee A. Berretto, d/b/a Adventures Kids Club, 89 Gooding Avenue re petition for Holiday Sales License

Barboza/Cordeiro - Voted unanimously to grant this license subject to the receipt of a positive recommendation from administration and also subject to conformance to all applicable laws and ordinance and payment of all fees, taxes and levies.

2. Azat Faryan, d/b/a Pizza Caldo, 15 Gooding Avenue re petition for a Victualling License (new owner transfer - currently on renewal list)

**LATE ITEM**

- a. Recommendation - Water Pollution Control Facility

Barboza/Cordeiro - Voted unanimously to grant this license subject to the receipt of a positive recommendation from administration and also subject to conformance to all applicable laws and ordinance and payment of all fees, taxes and levies.

H. LICENSING BOARD - RENEWALS

1. Intoxicating Beverage License Renewals - 2007/2008

It is hereby noted for the record that action on this agenda item was resolved as part of docket item C2.

2. Sunday Sales License Renewals - 2007/2008 (Class A Intoxicating Beverage License holders)

a. Recommendation - Police Chief

Barboza/Cordeiro - Voted  
unanimously to grant renewal of  
these licenses subject to  
conformance to all applicable laws  
and ordinance and payment of all  
fees, taxes and levies.

3. Victualling License Renewals - 2007/2008

a. Recommendation - Water Pollution Control  
Facility

b. Recommendation - Chief of Police

Barboza/Cordeiro - Voted  
unanimously to grant renewal of  
these licenses subject to  
conformance to all applicable laws  
and ordinance and payment of all  
fees, taxes and levies.

Prior to the vote taken, it was noted for the record that  
the Council expects that all petitioners will be in  
compliance with Water Pollution Control regulation prior to  
the issuance of a Victualling License.

4. Holiday Sales License Renewals - 2007/2008

a. Recommendation - Chief of Police

Cordeiro/Herreshoff - Voted  
unanimously to grant renewal of  
these licenses subject to  
conformance to all applicable laws  
and ordinance and payment of all  
fees, taxes and levies.

5. Amusement Devices/Game Room License Renewals  
- 2007/2008

a. Recommendation - Chief of Police

Barboza/Cordeiro - Voted  
unanimously to grant renewal of  
these licenses subject to  
conformance to all applicable laws

and ordinance and payment of all fees, taxes and levies.

Prior to the vote taken, Councilman Barboza noted a discrepancy between the reported number of devices and those applied for per the Police report attached. The Clerk noted that there appeared to be a miscommunication with some of the establishments reviewed by the Police and that he expects that the discrepancy will be easily resolved prior to the issuance of said licenses.

6. Carriage License Renewal - 2007/2008

a. Recommendation - Chief of Police

Cordeiro/Barboza - Voted unanimously to grant renewal of this license subject to conformance to all applicable laws and ordinance and payment of all fees, taxes and levies.

(CA) I. UTILITY PETITIONS

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

1. Sewer Permits - Water Pollution Control Facility

J. PETITIONS - OTHER

1. Robert C. Weir, 15 Wheeler Avenue - request for "No Parking/Tow Zone" across from residence

a. Recommendation - Director of Public Works

b. Recommendation - Chief of Police

Barboza/Cordeiro - Voted unanimously to conceptually approve this petition as per the recommendations received and to refer same to the Town Solicitor so that he may draft the proper ordinance language.

2. John Vitkevich, 119 Hummock Avenue, Portsmouth - request for Town Council Resolution re Sakonnet River Bridge

- a. Police Chief Serpa re request of John Vitkevich
- b. Jerome F. Williams to Town Administrator Mederos re update on Sakonnet River Bridge replacement project
- c. Mr. Vitkevich re draft resolution

Herreshoff/Cordeiro - Voted unanimously to adopt the resolution as provided by Mr. Vitkevich allowing the Clerk to make edits and additions as required so as to emphasize the Council's concern for the Mount Hope Bridge and to forward same to Governor Donald Carcieri, Senators Reed and Whitehouse, and Congressmen Kennedy and Langevin.

Prior to the vote taken, Mr. Vitkevich informed the Council of his continued concern as to the safety of the Sakonnet River Bridge. He expressed additional concern that the limits imposed upon the traffic flowing across the Sakonnet River Bridge has placed an undue burden on the Mount Hope Bridge and he was also of the opinion that the Mount Hope Bridge 40 ton limit was regularly exceeded since many large truck are passing over this bridge in close proximity.

Councilman Herreshoff stated that he was in agreement with Mr. Vitkevich and thanked him for his information regarding this matter.

Mr. Vitkevich provided a draft resolution and this item is marked J2c for the record.

3. Alan DiPalma, 16 Fried Avenue - petition for reimbursement of damages to automobile

Cordeiro/Herreshoff - Voted unanimously to refer this matter to the Insurance Committee.

4. Robert E. Mower, 453 Rounseville Road, Rochester, Massachusetts - petition for reimbursement damages to automobile

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

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. George L. Sisson, et al, Bristol Statehouse Foundation - request for three-year, interest free loan of \$50,000

- a. Recommendation - Town Administrator and Town Treasurer

Barboza/Cordeiro - Voted  
unanimously to grant this request  
as presented and recommended by  
Town Administrator Mederos and Town  
Treasurer Day.

Prior to the vote taken, Council Chairman Marshall noted that the Statehouse Foundation has done a remarkable job toward the restoration of the historic building. He also suggested that the Council may hold one of its meetings in the court room at a later date.

2. Kathleen M. Silvia, Newport City Clerk - request to adopt resolution opposing expansion of gambling

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

3. Nicholas Ratti, Jr., 28 Hydraulion Avenue re windmills

Barboza/Cordeiro - Voted  
unanimously to receive and place  
this matter on file; thanking Mr.  
Ratti for his continued interest.

4. Ann Morrill, 1<sup>st</sup> Vice-President, Kickemuit River Council re Dominion Energy Brayton Point, LLC

**LATE ITEM**

- a. Ann Morrill re letter to EPA

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

5. Victor Profughi, Director for the Bureau of Government Research & Services re Rhode Island College Center for Public Policy

Barboza/Cordeiro - Voted  
unanimously to receive and place  
this matter on file with thanks to  
Prof. Profughi.

6. Michael P. McGonagle, IT Manager, RI Resource and Recovery Corporation re Solid Waste and Recycling Services Agreement

- a. Agreement

Cordeiro/Barboza - Voted  
unanimously to approve this  
agreement and authorize Town  
Solicitor Ursillo to sign the  
agreement on behalf of the Council.

7. Jessica Wang, Democracy Matters re Public Financing of Elections Act

- a. Rhode Island Public Financing of Elections Act

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

8. Diane J. Cloutier, Troop 6 Bristol, Narragansett Council, BSA - request for commendation for Marc C. Gallant on achieving rank of Eagle Scout and invitation to ceremony November 11, 2007

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

9. Town Administrator Mederos to Town Treasurer Day re Emergency repairs to railing at Independence Park

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

Prior to the vote taken, Director of Parks and Recreation Burke informed the Council that the new railings will be made of galvanized steel so as to resist rust.

10. Stephan Brigidi, Thirty Bradford Street Associates re status of Intoxicating Beverage License

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

Prior to the vote taken, Mr. Brigidi explained that he has been unsuccessful toward developing a restaurant business within his building and thanked the Council for its indulgence. It was further noted that the Class B Victualler Limited liquor license was set to expire.

Councilman Herreshoff thanked Mr. Brigidi for sharing the information with the Council.

Councilman Herreshoff also suggested that the Council might take action to eliminate the expired license with the Clerk noting that this has been the Council's practice of late. It was agreed that an Ordinance amendment will be presented to the Council for its consideration on November 21, 2007.

11. Dennis Roy, Chief Executive Officer et al, East Bay Community Action Program re acknowledgement of budget allocation

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

12. Town Administrator Mederos re request for Executive Session pursuant to RIGL 42-46-5 (a) (2) and (5)

It is hereby noted for the record that action on this agenda item took place at the conclusion of the public agenda as noted below.

13. Town Administrator Mederos re welcome signs

Herreshoff/Cordeiro - Voted  
unanimously to instruct the Clerk  
to convey to Town Administrator  
Mederos its desire to have

motorcycle noise warning signs  
affixed to these welcome signs.

Prior to the vote taken, Councilman Herreshoff stated that these signs should somehow announce that Bristol is America's "most patriotic town."

Councilman Cordeiro reminded the Council of its desire to have signs warning of enforcement of excessive motorcycle noise.

L. BILLS & EXPENDITURES

1. Bid #645 - Asphalt Basketball Court at Veterans Memorial Park

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

Prior to the vote taken, the Clerk read the bids aloud.

Responding to questions posed by the Council, Mr. Burke indicated that the bids received were under the budgeted amount for the rehabilitation project.

It was suggested that Mr. Burke should keep the Veterans Council abreast of the progress and that he should communicate with the President of the Veterans Council when the bid is awarded.

2. Bid #646 - Rogers Free Library Furniture Package

Cordeiro/Herreshoff - Voted  
unanimously to refer this matter to  
the Town Administrator and to the  
Rogers Free Library Capital Project  
Committee to act in the best  
interest of the Town.

Prior to the vote taken, the Clerk read the bids aloud.

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. Monthly/Quarterly Report Fiscal year Ending June 30, 2007
2. Revenue and Expenditure Report - October 30, 2007

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Kathleen D. Bazinet, Citizen of the Year, East Bay Chamber of Commerce

Barboza/Cordeiro - Voted unanimously to adopt this proclamation as presented.

2. Commendation - Manuel T. Garcia, Man of the Year, Bristol Sports Club

Barboza/Cordeiro - Voted unanimously to adopt this commendation as presented.

3. Commendation - Rev. Mr. Jeremy J. Rodrigues, Ordination as Deacon

Barboza/Cordeiro - Voted unanimously to adopt this commendation as presented.

**(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. Council Clerk Cirillo to Patrick V. Riccardi, Copley Operating Group, LLC, d/b/a Ricc's Ristorante re Class B-Victualler Liquor License Renewal
2. Council Clerk Cirillo to Soyka Smith Design Studios re Bid #644 - Rogers Free Library Furniture Package

3. Council Clerk Cirillo to Chairmen, Town Boards and Commissions re Pledge of Allegiance
4. Council Clerk Cirillo to Hon. Patrick C. Lynch, Attorney General - Thank you for support re opposition to LNG terminal
5. Council Clerk Cirillo to David Enos, President, Bristol Veterans Council re basketball court at Veterans Park
6. Town Clerk/Council Clerk Cirillo to Ginger Bayles, Conservation Commission - Thank you for service
7. Council Clerk Cirillo to W. Michael Sullivan, Director, RIDEM re East Bay Bicycle Path rest room facilities
8. Town Clerk/Council Clerk to JoAnn Morra, Recreation Board - Thank you for service
9. Town Clerk/Council Clerk to Mark DeFelice, Recreation Board - Thank you for service
10. Town Clerk Cirillo to All Boards and Commissions re Open Meetings Act requirement for Public Bodies
11. Mount Hope Boosters Club - Invitation to Dedication Ceremony of Thomas Vendituoli Memorial October 12, 2007
12. Robert J. Martin, Fire Chief - Award of Bid #618 to Eagle Cornice Company, Inc., Cranston, RI
13. Robert J. Martin, Fire Chief - Award of Bid #619 to Eagle Cornice Company, Inc., Cranston, RI
14. Robert J. Martin, Fire Chief to Town Administrator Mederos - Award of Bid #620 to Doucette's Two Way Radio Service, Rehoboth, MA
15. Town Administrator Mederos - Award of Bid #642 to Citiworks, Inc., Attleboro, MA

16. Grover J. Fugate, Executive Director, Coastal resources Management Council re petition of Robert Frost
17. Edward P. Mara, Superintendent of Schools to Michael Abbruzzi, Warren Town Manager re decommissioning of Main Street School by July 31, 2008
18. Warrant - Eric Hertfelder, Auxiliary Member Historic District Commission
19. Roy A. Nash, Captain, US Coast Guard to Gordon Shearer, CEO, Weaver's Cove Energy, LLC re LNG terminal
20. Class F Intoxicating Beverage License to Bristol Elks for November 3, 2007
21. Edward P. Mara, Superintendent of Schools to Town Administrator Mederos re decommissioning of Reynolds and Byfield Schools by September 30, 2008
22. Council Clerk Cirillo to Rep. Raymond E. Gallison, Jr. re Thank you for support re opposition to LNG terminal
23. Robert Rocchio, Secretary, State Traffic Commission to Town Administrator re Metacom Avenue speed limits

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

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

1. Providence City Council and Mayor David N. Cicilline - Invitation to lecture by Daniel Lerch, Post Carbon Institute
2. CRMC - Agenda for Semi-Monthly Meeting on October 23, 2007
3. Bristol County Water Authority/Board of Director's - Agenda for October 11, 2007

4. Bristol County Water Authority Annual Meeting - October 11, 2007
5. Bristol County Water Authority - November 2007 Meeting Calendar
6. Bristol Warren Regional School District - Schedule of Meetings & Events, Week of October 15, 2007
7. Colt Andrews Construction Subcommittee of Bond Project Building Committee - October 15, 2007
8. Bristol Warren Regional School Committee - October 17, 2007
9. Bristol Warren Regional School Committee - Revised October 22, 2007
10. Bristol Warren Regional School District - Schedule of Meetings & Events, Week of October 22, 2007
11. Bristol Warren Regional School District - Schedule of Meetings & Events, Week of October 29, 2007
12. Personnel/Contract Subcommittee of Bristol Warren Regional School Committee - October 30, 2007
13. Policy/Community Affairs Subcommittee (Bristol Warren Regional School Committee) - November 5, 2007
14. Bristol Warren Regional School Committee/Budget Facilities Subcommittee - November 5, 2007
15. Bristol Warren Regional School Committee/Personnel/Contract Subcommittee - November 8, 2007
16. Bristol Warren Regional School Committee - Schedule of Meetings 2008
17. Coastal Resources Management Council - November 2007 Calendar

S. TOWN SOLICITOR

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 this evening's meeting for cable television.

b. Happy Thanksgiving and Veterans Day - Council Chairman Marshall wished everyone happy November holidays.

c. Storm Ready Community - Council Chairman Marshall noted that signs in Portsmouth indicate that community to be "storm ready." He suggested that Director of Community Development Williamson might investigate this designation for Bristol.

2. CORDEIRO

a. ECO Depot - Councilman Cordeiro reminded those present of the Council's desire to sponsor an ECO-Depot day for Bristol residents so that they may safely dispose of toxic chemicals. Public Works Director Serbst noted that the Town was encouraged to set a date for an ECO Depot after the beginning of next year.

b. Happy Veterans Day - Councilman Cordeiro wished everyone a happy Veterans Day and congratulated veterans for their service.

3. PARELLA

4. BARBOZA

a. Happy Veterans Day - Councilman Barboza wished everyone a happy Veterans Day suggested that all may take the time to thank a veteran for his or her sacrifice on behalf of the nation.

5. HERRESHOFF

a. Happy Veterans Day - Councilman Herreshoff echoed Councilman Barboza sentiments concerning veterans.

b. Town Hall Flag - Councilman Herreshoff noted that the spotlight illuminating the Town Hall flag appeared to be out of order.

c. Redundant Public Access Signs - Councilman Herreshoff noted a new public "right of way" to the shore sign at Walley Street and suggested that it might be redundant considering the large granite marker on the site. He also noted that the granite marker was out of plumb and should be somehow straightened.

d. Sea Scouts - Councilman Herreshoff noted resurgence in local interest in the Sea Scout organization explaining new initiatives at the East Greenwich Yacht Club. He suggested that the Council may try to attract a "sparkplug" who might work toward a local troop; perhaps at the Bristol Yacht Club.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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#### **CITIZENS PUBLIC FORUM**

Mr. John D. "Jack" Sylvester of 80 Mount Hope Avenue informed the Council that he was concerned regarding the Recreation Department's cellular phone expenditures. He noted that the Recreation Department's telephone contract was not part of the Fire Department's "umbrella" contract and he was also concerned that any plan to cancel the Recreation Department's cellular telephone contract would result in a penalty charge.

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Cordeiro/Herreshoff - Voted unanimously to adjourn into Executive Session pursuant to RIGL 42-46-5 (a) (2) and (5) at 9:35 o'clock PM.

Barboza/Herreshoff - Voted unanimously to seal the minutes of the Executive Session and resume open session at 10:06 o'clock PM.

There being no further business upon a motion by Councilman Barboza, seconded by Councilman Herreshoff and unanimously voted, the Chairman declared this meeting to be adjourned at 10:07 o'clock PM.

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Louis P. Cirillo, CMC, Council Clerk