

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

PRESENT: Marshall, Cordeiro, Parella, Barboza and Herreshoff

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

The Council met in regular session on Wednesday evening, March 5, 2008 in the Town Hall, Council Chambers, beginning at 7:05 o'clock PM, Council Chairman Marshall presiding.

It is hereby noted for the record that members of Bristol Troop 2 of the Boy Scouts of America led the assembly in the Pledge of Allegiance to the Flag in fulfillment of their communications merit badge.

**Special Presentations - Rick Ferreira  
Kenneth Murgo  
Adam Sylvia**

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall presented Commendations to the following individuals:

Adam Sylvia, a Kickemuit Middle School student and citizen of the Town who recently became a State wrestling champion, and

Rick Ferreira, an employee of the Town's Water Pollution Control Department who rescued a dog in peril, and

Kenneth Tyler Murgo, a Mount Hope High School senior and citizen of the Town who also became State wrestling champion among many other noteworthy accomplishments.

Council Chairman Marshall also noted that the Kickemuit Middle School Cheerleading squad recently became State Champions and extended the congratulations of the Council regarding same.

Council Chairman Marshall also noted local participating companies in a recent "Extreme Makeover" television program housing project in the City of Warwick. He noted the participation of DaPonte's Landscaping, Oldport Homes, Primeco Painting, among other local companies.

Councilman Cordeiro stated that the national recognition of local companies was a credit to the Town.

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Council Chairman Marshall reported that Roger Williams University business students are providing tax return preparation help for senior citizens at no cost during the next few weeks.

Councilman Barboza added that the East Bay Community Action program coordinator Vicky White will be providing a similar service in Bristol. He noted that the anticipated Federal tax rebate program requires the filing of a tax return so as to assure a rebate of \$300-600.

Council Chairman Marshall also reported an upcoming "Inconvenient Truth" seminar sponsored by the Environmental Task Force of Voices for Bristol. This seminar will be held on Saturday, April 26.

He also noted that the annual Town wide spring cleanup will be held on the same day between the hours of 9 o'clock AM and 1 o'clock PM.

Council Chairman Marshall also thanked the Clerk for his participation in the Rogers Free Library Capital Project Committee by taking the minutes of the group's meetings last year.

Council Chairman Marshall noted that the Community Center has reopened after the completion of the wall repairs.

Councilman Barboza noted the upcoming "Bossa Nova on the Bay" event sponsored by the Pastime Theatre Foundation to be held on April 4, 2008 at the VFW hall on Hope Street. Councilman Barboza also noted that tickets for this fundraising event are \$30 per person.

Herreshoff/Cordeiro - Voted  
unanimously to add items L1 and L2  
to the agenda as requested by the  
Clerk.

Prior to the vote taken, the Clerk noted the inadvertent omission of two bids as noted in Docket items L1 and L2 and asked the Council's indulgence in adding those items to this evening's agenda.

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

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

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A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - February 13, 2008

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

2. Town Council Special Meeting - February 27,  
2008

Barboza/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. Historic District Commission - January 3,  
2008
2. Board of Canvassers - Special Meeting,  
January 16, 2008
3. Bristol County Water Authority/Board of  
Directors - Annual Meeting, January 16, 2008
4. Bristol County Water Authority/Audit Finance  
Committee - February 6, 2008
5. Bristol County Water Authority/Engineering  
Committee - February 6, 2008
6. Bristol County Water Authority/Public  
Relations/Personnel Committee - February 6,  
2008
7. Bristol Housing Authority - January 10, 2008
8. Harbor Commission - February 4, 2008
9. Planning Board - January 8, 2008
10. Open Space Conservation Committee - August  
27, 2007

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11. Open Space Conservation Committee - September 17, 2007
12. Open Space Conservation Committee - October 1, 2007
13. Open Space Conservation Committee - October 15, 2007
14. Open Space Conservation Committee - October 22, 2007
15. Open Space Conservation Committee - November 5, 2007
16. Open Space Conservation Committee - December 3, 2007
17. Open Space Conservation Committee - December 17, 2007
18. North and East Burial Ground Commission - September 24, 2007
19. Bristol Warren Regional School Committee - January 28, 2008
20. Bristol Warren Regional School Committee - February 11, 2008
21. Conservation Commission - November 28, 2007
22. Conservation Commission - January 23, 2008

**B. OLD BUSINESS**

1. Susan Degan re memorial bench at Low Lane,  
**continued from January 23, 2008**
  - a. Council Clerk Cirillo to Harbor Commission - request for recommendation
  - b. Recommendation - Harbor Commission

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

Prior to the vote taken, Councilman Herreshoff noted that the Council should be certain that the Town is the owner of

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the right of way prior to allowing final approval. He also suggested that a more detailed drawing of the area and proposed bench should be provided.

Councilman Barboza stated that the discussions with Ms. Degan were ongoing and that the Council will be appraised as the final plans and marker message are known.

Councilwoman Parella stated that the project was worthwhile and expressed concern that the Council might lose sight of the project if it were to go on too long. Councilman Barboza explained that there were issues remaining and that he was cognizant of the Council's desire to have the project done properly especially in consideration of its permanence.

Town Solicitor Ursillo suggested that the matter might be tabled until which time the Clerk and/or Councilman Barboza have additional information to report.

2. Kevin R. McBride, Vice President, Caputo and Wick Ltd. to Town Administrator Mederos re Verndale Circle, existing drainage and icing problem, **continued from February 13, 2008**

Herreshoff/Cordeiro - Voted  
unanimously to continue this matter  
until March 26, 2008.

Prior to the vote taken, the Council discussed the need to have an overall program and plan to address this type of drainage situation and expressed concern that the Town's repair in this case may establish an unrealistic precedent.

Council Chairman Marshall suggested that the matter might receive further study and a procedure to mitigate drainage problems emanating from redirected sump-pumps might also be established.

Councilman Barboza stated that he was informed that the water flow may have been redirected and the problem resolved.

Town Administrator Mederos stated that Public Works Director Serbst believes that the water table in the area may be too high and that further study was needed.

3. Bond Counsel re legislative language for Animal Shelter Bond, **continued from February 13, 2008**

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- a. (Dyanne Gibree, Animal Control Officer)  
re 2008 Bond Issue Referendum

Barboza/Parella - Voted unanimously to adopt the resolution included and forward same and draft legislation to the local members of the General Assembly for Legislative approval.

Prior to the vote taken Council Chairman Marshall informed those present that he may have misunderstood the position of the towns of Barrington and Warren regarding a shared facility with Town Administrator Mederos noting that any interest these neighbor towns may have had in the shared shelter was precluded by the fact that the plans were already in place and the size of the proposed facility would be insufficient beyond the needs of Bristol.

Councilman Herreshoff noted that the matter of a shared facility was raised in the past and by all accounts it would be problematic. He also expressed concern that the neighbor towns might be "controlling (Bristol's) destiny" with such an arrangement.

Councilwoman Parella stated that the Friends of Foley group's supporting documentation (item a) was useful and that it might find further use to "make a case" at election time were the matter to be put forth for voter referendum.

Councilman Barboza stated that the advocates will have to take steps to help the voters "buy this." He also noted that the final decision on the matter is best left up to the voters.

Council Chairman Marshall expressed concern that Ms. Gibree did not meet specifically with Town Treasurer Day, as asked, so as to determine the long-range costs associated with operating and maintaining a new facility.

He also suggested that the shelter may eventually operate as a private entity; gradually "weaned" from the Town budget over time.

Council Chairman Marshall stated that the Town is facing serious budget issues but also that he was not specifically in opposition to a new shelter. He noted, however, that he would prefer to know that there was a long range plan to

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assure operation and maintenance without a spiraling upward cost.

Councilman Herreshoff stated that he agreed with Council Chairman Marshall in that privatizing the facility with a plan toward more self-sufficiency was desirable.

He further suggested that Ms. Gibree and Town Treasurer Day should be working on such a financial plan and that the supporting documentation might be "tidied up" with information provided relative to the privatization plan.

After the vote taken, Councilwoman Parella suggested that any measure toward self-sufficiency was long range and that caring for stray animals has been a municipal function traditionally in Bristol.

She expressed concern that the Council may be asking unreasonably in regard to self-sufficiency, etc and suggested that the efforts of Friends of Foley to raise some funds might be penalizing the group. She also stated that she understands that the Potter League charges the neighbor towns for their services.

Councilwoman Parella also noted that she anticipates "big problems" with the Town budget and prefers if the voters decide whether or not to have a new animal shelter.

Councilman Herreshoff stated that he did not believe that requests from the Council to privatize was a penalty but should the voters approve bonds for the construction, it would be a bonus to have a formula for increased private support.

Councilwoman Parella asked if the Council would consider such a formula to be a condition of the bond issue with Councilman Herreshoff responding that he did not advise that this formula should be a condition but rather a goal.

A further discussion ensued regarding self-sufficiency and comparability concerning other Town entities.

Councilwoman Parella stated that one of the main reasons for Bristol's expense for stray animals is related to those left behind by transient students. She noted that the Town should support the efforts of Pawswatch since this group is helping with the feral cat population.

Ms. Gibree noted that the Potter League can provide services on Aquidneck Island only and would not be able to serve

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Bristol due to its charter. She also stated that Friends of Foley plan to augment the already existing Town funded program not replace it.

Ms. Gibree also invited the Council to visit the current shelter and assess its conditions.

Council Chairman Marshall asked if the Bristol shelter accepts animals from out of Town with Ms. Gibree responding affirmatively, adding that in these cases the cost associated with accepting these animals was borne by others and not the Town.

4. (Town Solicitor Ursillo) - draft legislation re senior resident property tax service program

Herreshoff/Cordeiro - Voted to grant the Town Solicitor the authority to adjust the language of the draft legislation as may be required and to forward same to the local members of the General Assembly for Legislative approval. Voting in favor of this motion were Councilmen Marshall, Cordeiro, Barboza and Herreshoff. Voting opposed was Councilwoman Parella.

Prior to the vote taken, Town Solicitor Ursillo explained that reports from other communities indicate a fairly low participation and that such a program may not be too difficult to manage. He referred to the proposed enabling legislation as "another tool" for the Council to potentially provide tax relief to those in need and it would supplement the already present tax structure.

Council Chairman Marshall stated that the idea was "not new" and that the City of Newport has similar enabling legislation and a corresponding city ordinance although this has few, if any, participants.

Town Administrator Mederos noted a program in place in Concord, Massachusetts and that this program has an application process.

Council Chairman Marshall noted that a Bristol program, yet to be defined once the enabling legislation is approved, might be run in conjunction with the established senior program at the Benjamin Church Senior Center. He further

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took exception to comments that the program represented "servitude" but rather is added further options for tax relief.

Councilwoman Parella expressed concern that there appears to be no limits and that the program might be unfair and inequitable in that some persons may qualify on a basis of favoritism.

Town Solicitor Ursillo stated that the only matter on the table at this time was enabling legislation and a further ordinance would have to be enacted in order to establish a program. He explained that the Council could enact this ordinance with safety measures to prevent favoritism, etc.

Councilwoman Parella suggested that the Council might know of the entire plan along with its projected cost before taking the first step with the enabling legislation with Councilman Barboza stating that he was of the opinion that the enabling legislation was the "foundation upon which to build" the program.

Councilwoman Parella questioned the proposed cost of such a program and if anyone had made a determination of how many jobs might be available with Councilman Cordeiro suggesting that there would be 5-10 jobs available and these would be in the library or at Town Hall.

Councilwoman Parella stated that the program may have many applicants were it to be marketed properly.

Town Solicitor Ursillo stated that the Council can draft a program to suit the Town's needs once the enabling legislation is in place and that the timetable for the entire process may exceed six (6) months.

Councilwoman Parella requested the record to reflect her opposition to the measure is in her desire to have a plan for the program known prior to requesting enabling legislation from the General Assembly.

5. Merritt K. Meyer, Board President and Jennifer Astrella, Executive Director, Mosaico Community Development Corporation re update on Marine Trades Job Training Information

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

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Prior to the vote taken, Ms. Astrella informed the Council of the salient points of the report noted above, and that the Mosaico group is pleased with the response thus far.

Councilman Barboza asked if the program involved the School Department in order to keep at risk students from dropping out of school with Ms. Astrella responding affirmatively with the further note that this must be done cautiously so as to not encourage drop-outs.

Andrew Tyska, who is working with Ms. Astrella on this program, provided data concerning an after-school hours component.

He further outlined information included in the report and explained the advantages of the boat building industry locally.

Mr. Tyska also stated that he was concerned regarding Senate Bill 2668 that considers raising taxes in Rhode Island relative to the boat industry.

Town Solicitor Ursillo noted that since this matter was not on the published agenda it was inappropriate before the Council at this time but might be better discussed at the meeting scheduled for March 13.

Councilwoman Parella asked if the program has an adult-education component with Ms. Astrella responding affirmatively.

Councilman Cordeiro provided details of the program and suggested that interested parties should contact Ms. Astrella.

Councilman Barboza asked if the program was in need of advertising funds and suggested that the Council might appropriate funds from its contingency for this purpose with Ms. Astrella noting that advertising will cost approximately \$5000 and Mosaico may have to divert funds outlined for other purposes for advertising and promotion.

Town Solicitor Ursillo suggested that the matter of the contingency funds was not on the published agenda and that this, too, should be considered at a subsequent meeting.

6. Town Solicitor Ursillo re regulation of outdoor wood boilers

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- a. (Town Solicitor Ursillo) - draft Act to regulate outdoor wood boilers with RIDEM authority
- b. (Town Solicitor Ursillo) - draft Act to regulate outdoor wood boilers with municipality authority

Barboza/Cordeiro - Voted unanimously to forward draft legislation to the local members of the General Assembly as recommended by the Town Solicitor for legislative action and to also provide a Council resolution to the General Assembly as prepared by the Clerk.

- 7. Councilman Barboza re Fire Department Rescue/Training Headquarters Capital Project Committee

Barboza/Cordeiro - Voted unanimously to schedule a Special Meeting of the Town Council to be held on Thursday, March 13, 2008 to consider this and other matters as noted.

Prior to the vote taken, Councilman Barboza suggested that the Council might consider hearing a presentation regarding subject matter at its earliest convenience.

- 8. Jan and Joe Antinucci, et al, Van Wickle Homeowner's Association re mediation efforts with Blithewold regarding noise levels

**LATE ITEM**

- a. Karen Binder, Executive Director, Blithewold, Inc. re procedures for upcoming event season

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

Prior to the vote taken, Keith Maloney, representing his interest and also the residents of Van Wickle Lane, appeared before the Council and indicated that his neighborhood and

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the Blithewold people were essentially at an impasse regarding noise issues.

Mr. Maloney also complemented the mediation program at Roger Williams University and thanked the Blithewold organization for its efforts.

Mr. Maloney explained that although his group and Blithewold agree on many points, he is concerned that Blithewold will not agree to a measurable sound level.

Councilman Barboza made reference to the letter as provided by Ms. Binder, noting the organization's intention to hire a sound engineer to work on mitigating the sound problem.

Mr. Maloney stated that he appreciated Blithewold's efforts but again stated that his concern was that the engineer was not given a numerical goal to strive toward.

A discussion ensued regarding the general "lack of common ground" with Councilman Herreshoff cautioned that the apparent impasse was becoming "too technical" and that the parties should simply agree that there is excessive noise and find ways to mitigate same. He further suggested that the event tent might be relocated to another place on the property, away from Van Wickle Lane. Councilman Herreshoff also stated that he was of the opinion that Blithewold should spend \$10,000 on moving the tent and not on a noise study.

Councilwoman Parella expressed concern that the mediation and that the parties did not come to agreement through "give and take."

Kathy Norton of Van Wickle Lane agreed with Councilman Herreshoff that the tent might be relocated.

Joan Abrams, President of Blithewold, explained that Blithewold considers the moving of the tent to be impractical for several reasons. She also noted that the group spent much time in mediation and that her group still intends to make five specific improvements despite the lack of an overall agreement between the parties.

Council Chairman Marshall suggested that the Council might continue this matter and expect an update regarding same once the sound engineers report is available.

Town Solicitor Ursillo suggested that the matter might be tabled with the understanding that the Clerk will place the

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matter again before the Council once there is something new to report.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Ordinance #2007-43, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, Section 8-57 through 8-67, **2<sup>nd</sup> reading for adoption, (continued from January 23, 2008)**

- a. Joseph Arruda, Chip Cavallaro and Keith Maloney, Save Bristol Harbor Board of Trustees re raising the maximum number of moorings from 500 to 525

Cordeiro/Herreshoff - Voted unanimously to continue this public hearing until the Special Meeting of March 13, 2008.

Prior to the vote taken, Council Chairman Marshall suggested that the matter might be continued until the March 13 special meeting and that Mr. Kevin Cute of CRMC might attend along with the interested parties.

2. Harbor Management Plan Update, Mooring Management, Section 2 Issues

Cordeiro/Herreshoff - Voted unanimously to continue this matter until the Special Meeting of March 13, 2008.

3. Robert E. Alessandro, d/b/a Bristol Auction Co., 34 Gooding Avenue petition for Junk and Second Hand Dealer's License (petitioner requests to withdraw)

Barboza/Parella - Voted unanimously to allow the petitioner to withdraw without prejudice.

D. ORDINANCES

1. Ordinance #2007-43, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, Section 8-57 through 8-67, **2<sup>nd</sup>**

**reading for adoption, (continued from January 23, 2008)**

Cordeiro/Herreshoff - Voted  
unanimously to continue this matter  
until the Special Meeting of March  
13, 2008.

2. Ordinance #2008-02, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, (38) Photographs, **2<sup>nd</sup> reading for adoption**

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to be the second reading of  
Ordinance #2008-02 for adoption.  
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. Recreation Board (2)(to fill unexpired terms to expire 2/09 and 2/10),  
**continued from February 13, 2008**
    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

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Cordeiro/Barboza - Voted  
unanimously to continue this matter  
until the meeting of March 26,  
2008.

b. Recreation Board (2)(terms to expire  
2011), **continued from February 13, 2008**

1. Fred DaSilva, 74 Berry Lane -  
interest/reappointment
2. Nancy A. Horne, 1014 Hope Street,  
Apt. M-2 - interest/reappointment
3. Joseph Carosi, 114 Berry Lane -  
interest/appointment
4. Walter M. Rocha, 18 San Jose Drive  
- interest/appointment (withdrawn  
per applicant)

Cordeiro/Barboza - Voted  
unanimously to continue this matter  
until the meeting of March 26,  
2008.

c. Recreation Board - new applicants  
interviewed February 27, 2008, **continued  
from January 23, 2008**

1. Richard P. O'Connell, 51 Collins  
Street - interest/appointment
2. Edward J. Quinn, 5 Poppasquash Road  
- interest/appointment

Cordeiro/Barboza - Voted  
unanimously to continue this matter  
until the meeting of March 26,  
2008.

d. Recreation Board - Auxiliary Members (2)  
(terms to expire 2011), **continued from  
February 13, 2008**

1. Diana Campbell, 40 Seal Island Road  
- interest/reappointment

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2. Warren Rensehausen, 112 Church Street - interest/reappointment  
  
Cordeiro/Barboza - Voted unanimously to continue this matter until the meeting of March 26, 2008.

e. Board of Canvassers (1)(term to expire 2014)

1. Thomas M. Carroll, Chairman, Republican Town Committee re recommendation - Michael A. Smith, 4 Burke Road

Councilman Barboza nominated Mr. Smith for re-appointment.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Smith, term to expire in March, 2014.

f. Board of Canvassers - Alternate(2)(terms to expire 2014)

1. Thomas M. Carroll, Chairman, Republican Town Committee re recommendation - Carolyn Breslin, 7 Dana Road

Councilwoman Parella nominated Ms. Breslin for reappointment.

Parella/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Breslin, term to expire in March, 2014.

2. (John E. Faria), Chairman, Democratic Town Committee re recommendation - Jerome A. Squatrito, 52 Fales Road

Councilwoman Parella nominated Mr. Squatrito for appointment.

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Parella/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Squatrito, term to expire in March, 2014.

- g. Harbor Commission (2)(terms to expire 2011)
  - 1. Thomas G. Breslin, M.D., 7 Dana Road - interest/reappointment
  - 2. James C. Dollins, 37 Clifton Road - interest/reappointment
  - 3. John Troiano, 707 Hope Street - interest/appointment
  - LATE ITEM** 4. David Parker, 281 Franklin Street - interest/appointment

Councilwoman Parella nominated Dr. Breslin and Mr. Dollins for reappointment.

Parella/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Dr. Breslin and Mr. Dollins, each term to expire in March, 2011.

- h. Harbor Commission - Alternate (2)(terms to expire 2011)
  - 1. Steven Roth, 1 Riverview Avenue - interest/reappointment
  - 2. John Troiano, 707 Hope Street - interest/reappointment

Councilman Barboza nominated Messrs. Roth and Troiano for reappointment.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Messrs. Roth and Troiano, each term to expire in March, 2011.

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i. Zoning Board of Review (1)(term to expire 2013)

1. Edward J. Correia, 46 Varnum Avenue  
- not seeking reappointment

LATE ITEM

2. Bruce I. Kogan, 18 Greylock Road -  
interest/appointment

LATE ITEM

3. Joseph P. Asciola, 1220 Hope Street  
- interest/appointment

Barboza/Cordeiro - Voted  
unanimously to instruct the Clerk  
to send a letter of thanks for  
service to Mr. Correia.

Prior to the vote taken, Council Chairman Marshall noted the long and dedicated service of Mr. Correia; with Council members expressing similar sentiments.

Councilman Barboza nominated Mr. Asciola for appointment.

Barboza/Cordeiro - Voted  
unanimously to close nominations  
and to instruct the Clerk to cast  
one ballot in favor of Mr. Asciola,  
term to expire in March, 2013.

Barboza/Cordeiro - Voted  
unanimously to instruct the Clerk  
to advertise for an alternate  
member of the Zoning Board of  
Review to fill the unexpired term  
of Mr. Asciola.

Prior to the votes taken, Council Chairman Marshall endorsed the candidacy of Mr. Asciola, noting that although both he and Mr. Kogan have excellent credentials, Mr. Asciola has served for a longer period of time and has more experience on the Zoning Board of Review. He also noted that Mr. Asciola's professional experience is extremely beneficial to the Board.

j. Fire Chief Martin re Deputy Fire Chief  
and Board of Fire Engineers - 2008

Councilman Barboza nominated the members of the Board of Fire Engineers as presented by Fire Chief Martin in accordance with Sec. 12-57 of the Town Code.

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

k. Conservation Commission (1)(term to  
expire 2011)

1. Ronald E. Schroeder, 116 Wood  
Street - interest/appointment

Councilman Cordeiro nominated Mr. Schroeder for appointment.

Cordeiro/Barboza - Voted  
unanimously to close nominations  
and to instruct the Clerk to cast  
one ballot in favor of Mr.  
Schroeder to fill the vacancy, term  
to expire in December, 2010.

(Clerk's note, upon review of the Conservation Commission  
membership, it was determined that this vacancy has existed  
since December 2007, thus the appointment is until 2010 so  
as to maintain the rotation of staggered membership terms.)

l. Recreation Board - ex officio

1. Steve Skuba, Secretary, Bristol  
Veterans Council - Recommendation

Councilman Barboza nominated Mr. Karl Antonevich, President  
of the Bristol Veterans Council for appointment per the  
recommendation received.

Barboza/Parella - Voted unanimously  
to instruct the Clerk to cast one  
ballot in favor of Mr. Antonevich,  
term to expire at the pleasure of  
the Council.

m. Council Clerk Cirillo re Substance Abuse  
Prevention Task Force

Councilman Barboza nominated Sara Simmons of 10 Basswood  
Drive and Sean Sullivan of 8 San Jose Drive for appointment.

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Barboza/Parella - Voted unanimously to instruct the Clerk to cast one ballot each in favor of Ms. Simmons and Mr. Sullivan, terms to expire in January, 2009 and to also instruct the Clerk to send a letter of thanks for service to Lori Nunes, former member.

(CA) 2. Public Service Appointments for April

G. LICENSING BOARD - NEW PETITIONS

1. John L. Tattrie, 55 School House Road, Warren d/b/a Tattrie Trucking & Excavating Inc. - request for Drainlayer's License

- a. Recommendation - Department of Public Works

Cordeiro/Herreshoff - Voted unanimously to grant this license per the recommendation of the Director of Public Works for a period of six (6) months and subject to conformance to all applicable laws and ordinances and payment of all fees, taxes and levies.

2. Donna J. Olivo, d/b/a All Paws Inn, 185 Bayview Avenue - request Dog Kennel License

**LATE ITEM**

- a. Recommendation - Police Chief

Barboza/Parella - Voted to grant this license with the condition that the facility house no more than 10 dogs at any one time; that dogs will not be allowed outdoors before 7 o'clock AM and after 9 o'clock PM; said license to be granted only for a trial period up until July 30, 2008 and subject to conformance to all applicable laws and ordinances and payment of all fees, taxes and levies. Voting in favor of this motion were Council members Marshall, Cordeiro, Parella

and Barboza; voting opposed was Councilman Herreshoff.

Prior to the vote taken, a discussion ensued regarding the zoning regulations with Town Solicitor Ursillo explaining that kennel licenses have been granted in the past in residential areas but that the current ordinance appeared silent on the matter. He further suggested that the Zoning Code Revision Committee should visit this issue.

A discussion ensued regarding notice to abutters, etc., with Ms. Olivo informing the Council that her neighbor is a rock-crushing operation that is already noisy.

Town Solicitor Ursillo informed the Council that it may set restrictions upon the issuance of subject license with the petitioner indicating that she did not object to the conditions as imposed and reflected in the motion to grant above.

Councilman Herreshoff noted for the record that he was generally opposed to commercial kennel licenses in residential districts.

H. LICENSING BOARD - RENEWALS

1. Tattoo License Renewals for 2008-2009

a. Recommendation - Police Chief

Cordeiro/Parella - Voted to grant renewal of this license as previously stipulated and subject to conformance to all applicable laws and ordinances and payment of all fees, taxes and levies. Voting in favor of this motion were Council members Marshall, Cordeiro, Parella and Barboza; voting opposed was Councilman Herreshoff.

Councilman Herreshoff noted for the record that he was generally opposed to tattoo licenses since the Council was unable to restrict the minimum age for a customer of said establishments.

2. Cesspool License Renewals for 2008

a. Recommendation - Water Pollution Control Facility

Cordeiro/Parella - Voted  
unanimously to grant renewal of  
these licenses as previously  
stipulated and subject to  
conformance to all applicable laws  
and ordinances and payment of all  
fees, taxes and levies.

(CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these  
petitions per the conditions as stipulated by the Director  
of Public Works."**

1. National Grid Electric Company and Verizon -  
petition to relocate and locate pole on  
Columban Drive
  - a. Recommendation - Director of Public  
Works
2. Road Cut Permits - DPW

J. PETITIONS - OTHER

1. Samuel Celone for Victoria Celone, 161 Wood  
Street - request to replace railing on Town  
property
  - a. Recommendation - Director of Public  
Works

**LATE ITEM**

- b. Stewart Stanzione, SS Services, 225  
Metacom Avenue to Sam Celone re railings  
for side walk stairs

**LATE ITEM**

1. Recommendation - Director of Public  
Works

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

Prior to the vote taken, the Clerk noted that Public Works  
Director Serbst was in favor of the plan to install the  
railing as proposed by Messrs. Celone and Stanzione and that  
there was no need for the Council to intercede.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

2. Kelly Reynolds and Luis-Jared Medeiros, 15 Gray Street - request curb cut

- a. Recommendation - Director of Public Works

Barboza/Parella - Voted unanimously to grant this petition as per the recommendation received.

3. Noel Hakem, 400 High Street - request curb cut

- a. Recommendation - Department of Public Works

Barboza/Parella - Voted unanimously to grant this petition as per the recommendation received.

4. Elizabeth McDonough Noonan, Esquire, for Russell Karian, Robin Industries, Inc. - request for Text Amendment to Bristol Zoning Ordinance

- a. Director of Community Development Williamson to Town Administrator Mederos re proposed text amendments to Bristol Zoning Ordinance

Barboza/Parella - Voted unanimously to refer this matter to the Planning Board and continue said matter until the Council meeting of March 26, 2008.

Prior to the vote taken, Council Chairman Marshall expressed concern that the Town might be reneging on its perceived agreement with Mr. Karian regarding the proposed development.

Director of Community Development Williamson explained that the plans provided by Mr. Karian thus-far did not include those items suggested by the Planning Department and that a review should be completed by experts to determine the impact of Mr. Karian's request.

A discussion ensued regarding who should bear the cost of the review with the Council in general agreement that this cost should be borne by the petitioner.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

Councilwoman Parella stated that a 95 unit residential development in downtown Bristol will have considerable impact upon the Town and agreed that Town officials should be well informed prior to making a final decision.

Councilman Barboza asked if the Town had in fact seen final plans with Director of Community Development Williamson explaining that the plans were not definitive.

Councilman Herreshoff cautioned that this is likely the last project for Bristol's "hallowed" waterfront and that he would like to be assured that the Town does not miss any opportunities since it may have when the Stone Harbour project was developed.

Director of Community Development Williamson stated that the suggestion for a Zoning Ordinance text change should be referred to the Planning Board for a recommendation.

Robert Stoltzman, Esq., representing Mr. Karian, explained that his client was seeking relief from the Zoning ordinance wishing to develop his property without a variance. He stated that he was concerned about the scope of the proposed study in light of the fact that the proposed project appears to be in conformance with the Town Comprehensive Plan and was envisioned in concert with this plan.

Mr. Stoltzman reported that the major problem is with land ratio as provided in the Zoning Ordinance and his client's property is mostly building and little open land.

He also noted that a large portion of the building has a first level that is partially below grade making commercial development somewhat impractical. He noted that a parking facility may be more suitable for part of the building's first level.

Town Solicitor Ursillo agreed that the matter should be first considered by the Planning Board and that the Planning Board should have expert advice for their deliberations.

Councilman Barboza expressed concern that the Planning Board review only the matters relating to the petitioner's request and not "reinvent the wheel."

Councilman Herreshoff agreed with Councilman Barboza and stated that the Planning Board's expert should have a narrow scope of study.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

Director of Community Development Williamson stated that it was her intention to instruct the expert to view the matter as described by Councilman Herreshoff.

- LATE ITEM 5.** Rev. Jared Costanza, Saint Elizabeth Church, 577 Wood Street re procession March 21, 2008

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

Prior to the vote taken, the Clerk explained that permission for this type of activity is typically granted by the Chief of Police and not the Council.

**K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION**

1. Julie A. Coelho, Warren Town Clerk - request support of Resolution re Global Warming

Barboza/Cordeiro - Voted  
unanimously to support this  
resolution as presented.

2. Stephen C. Waluk, Mayor, City of Newport - invitation to 52<sup>nd</sup> Annual Saint Patrick's Day Parade

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file; sending a  
letter of thanks to Mayor Waluk for  
the kind invitation.

3. Louise R. Phaneuf, Burrillville Town Clerk - request support of Resolution re 46-19 - Inspection of Dams and Reservoirs

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

4. Louise R. Phaneuf, Burrillville Town Clerk - request support of Resolution re amendments to 9-31-3 Limitations of damages - Cities, towns and fire districts

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008

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

5. Louise R. Phaneuf, Burrillville Town Clerk -  
request support of Resolutions re education

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

6. Council Clerk Cirillo re Open Space Draft  
Resolution

Barboza/Cordeiro - Voted  
unanimously to adopt this  
resolution as prepared and  
presented and to forward a  
certified copy of same to His  
Excellency Governor Carciere and  
the local General Assembly  
delegation.

Prior to the vote taken, Raymond Payson, Chairman of the  
Conservation Commission informed those present that he  
presented this resolution as a member of the local land  
trust and not as Chairman of the Conservation Commission.

L. BILLS & EXPENDITURES

- ADD ITEM 1. Bid #652 - Masonry Repairs and Improvements  
Ever Ready Fire Station

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

- ADD ITEM 2. Bid #653 - Verndale Circle Drainage  
Improvements

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

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

Prior to the vote taken, the Council expressed concern regarding the source of the water, height of the water table, etc.

Town Administrator Mederos reported that it was her intention to review the bid documents, reassess the situation, and return to the Council for supplementary discussion prior to any further action concerning subject bid.

(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 Statement, February 29, 2008

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. Class F Intoxicating Beverage License - St. Elizabeth Church/Fundraiser/Holy Ghost, February 23, 2008
2. Council Clerk Cirillo to Thomas Carroll, Chairman, Bristol Republican Committee re reappointment of Michael Smith and Carolyn Breslin to Board of Canvassers
3. Council Clerk Cirillo to John Faria, Chairman, Bristol Democratic Committee re reappointment of Michael Principe to Board of Canvassers
4. Council Clerk Cirillo to Director of Public Works Serbst re removal of handicap parking space, 89 State Street
5. Council Clerk Cirillo to Director of Public Works Serbst re removal of handicap parking space, 19 Catherine Street

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

6. Warrant - Joseph G. Rego, Bristol County Water Authority
7. Warrant - Nathan Gallison, Assistant Harbor Master
8. Resolution - Developing and Maintaining Methodology for a Strong and Vibrant Local Economy
9. Coastal Resources Management Council re notice of intention to change management plans, policies, procedures and regulations
10. Town Administrator Mederos to Council Clerk Cirillo re temporary absence
11. Angelo Liberti, P.E., Chief of Surface Water Protection, DEM/Office of Water Resources - Public Workshop, March 4, 2008 re draft 2008 303(d) List of Impaired Waters
12. Council Clerk Cirillo to Planning Board and Zoning Board of Review - Special Town Council Meeting re Affordable Housing Subsidies
13. Town Administrator Mederos to James Hall, President, Aquidneck Construction, Inc., Portsmouth, RI - award of Bid #652 Surf Drive Drainage Improvements
14. Director of Parks and Recreation Burke to E.W. Burman, Inc. re reconstructing brick wall at Community Center
15. Council Clerk Cirillo press release re "Lights Out America Day"
16. Michael A. Ursillo, Esquire, Town Solicitor to Jack Sylvester, 80 Mount Hope Avenue, Apt. 1-B re policy requesting public records
17. M. Candace Pansa, Executive Director, Bristol Housing Authority to CDBG Program Coordinator re 2008 CDBG Grant

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

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

1. Bristol County Water Authority/Board of Directors - Monthly Meeting, February 13, 2008
  2. Bristol County Water Authority - Annual Meeting, February 13, 2008
  3. Bristol County Water Authority - March 2008 Meetings
  4. Bristol Warren Regional School District - Schedule of Meetings and Events, Week of February 18, 2008
  5. Recreation Board - February 26, 2008
  6. Bristol Warren Regional School District - Schedule of Meetings & Events, Week of February 25, 2008
  7. (Bristol Warren Regional School District) Personnel/Contract Subcommittee - February 25, 2008
  8. Bristol Warren Regional School Committee - February 25, 2008
  9. Fourth of July Committee - March 19, 2008
  10. Colt Andrews Construction Subcommittee - February 28, 2008
  11. (Bristol Warren Regional School Committee) Policy/Community Affairs Subcommittee - March 3, 2008
- S. TOWN SOLICITOR
1. Michael A. Ursillo, Esquire, Town Solicitor re procedure for responding to citizens' requests for public records
    - a. Access to Public Records Request Form

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008

Cordeiro/Barboza - Voted  
unanimously to adopt this policy  
and form as presented.

Prior to the vote taken, Town Solicitor Ursillo recommended adoption of this policy and form as its use would provide a uniform system for managing requests pursuant to the open records statute.

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Presidential Preference Primary - Council Chairman Marshall congratulated the Board of Canvassers and the election day volunteer workers for a successful Presidential Primary held yesterday March 4, 2008. He noted that the turnout was "historic" and that he was pleased to learn that so many individuals were interested in the electoral process.

b. Thank You Mike Davis and Steve Roth - Council Chairman Marshall thanked the filming crew for recording another Council meeting for the cable television.

c. Budget Workshops - Council Chairman Marshall noted the upcoming budget workshop schedule and recommended that the public participate in the process.

2. CORDEIRO

a. Presidential Preference Primary - Councilman Cordeiro echoed the sentiments expressed by Council Chairman Marshall and stated that the various parties did a "good job" and he commended them all for their efforts.

b. Bourne Street Eyesore - Councilman Cordeiro noted a dilapidated building at the corner of Bourne and Wood Streets noting that the building housed a former fruit and vegetable market and was formerly a public laundry. Director of Community Development Williamson explained that the building official has recently cited the building's owner for violations.

3. PARELLA

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008

Presidential Preference Primary - Councilwoman Parella also noted that the Primary appeared to run smoothly despite the larger crowds and offered her congratulations to the Board of Canvassers.

4. BARBOZA

a. Pervious Concrete - Councilman Barboza noted that Stan Dimock of the Save the Bay was an expert in pervious concrete and would be willing to make a presentation regarding same locally.

b. Fire Department Action - Councilman Barboza noted two recent serious fires with the Fire Department responding swiftly and effectively.

c. Condolences to Town Administrator Mederos - Councilman Barboza extended the Council's condolences upon the recent passing of Ms. Mederos' mother Dorothy Montaro.

5. HERRESHOFF

a. Budget and Taxes - Councilman Herreshoff noted the upcoming budget sessions and explained that the Council's goal is to keep property tax at the current level.

Councilman Herreshoff also noted that the Council will be faced with several important issues during the budget process.

1. Schools may be granted a modest increase over this year's budget

2. The new expanded Rogers Free Library will require a budget increase for operations.

3. Town Administrator Mederos is attempting to "hold the (tax) line" and the participation of the public may aid in this process.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 5, 2008**

a. Fire Department Response - Town Administrator Mederos also noted the Fire Department's swift response concerning the two recent fires.

b. Presidential Primary Day - Town Administrator Mederos congratulated the Clerk and the Board of Canvassers on smooth operation of the Presidential Primary despite the unprecedented voter turnout.

c. Thank You for Support - Town Administrator Mederos thanked those present for their support upon the recent passing of her mother Dorothy Montaro. She noted that her mother was not a "political person" and enjoyed a rather private life. Town Administrator Mederos also noted that her mother was a very "positive influence."

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**CITIZENS PUBLIC FORUM**

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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 10:30 o'clock PM.

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Louis P. Cirillo, CMC, Council Clerk