PRESENT: Marshall, Cordeiro, Parella (arrived at 7:11 o’clock PM), Barboza and Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator
               Nancy E. Lehtendre, Assistant Town Solicitor
               Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, March 26, 2008 in the Town Hall, Council Chambers beginning at 7:07 o’clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening’s regular agenda, Council Chairman Marshall welcomed newly appointed Acting Chief of Police Canario who was present to represent the Police Department. He also recognized the appointment of Lt. Nick Guercia, who will be serving in the capacity of Acting Deputy Chief.

Council Chairman Marshall noted his attendance on Monday evening at a special meeting of the Bristol Warren Regional School Committee where 83 school children were recognized for their achievements.

Council Chairman Marshall noted that Rogers Free Library is selling book plates as a fundraising activity.

Councilman Cordeiro noted for the record that two of the children honored at this event were Council Chairman Marshall’s daughter Mackenzie and Councilman Cordeiro’s niece who received awards for cheerleading.

Council Chairman Marshall also recognized the efforts of Aidan Graham who is installing equipment within his “Aidan’s Pub” to reuse rainwater for wastewater in his establishment’s restrooms.

Councilman Cordeiro recognized the efforts of a group in support of “Battery C” serving in Iraq. He noted that a fundraiser will be held on April 26th at St. Mary of the Bay church in Warren. The proceeds from this fundraiser will be utilized to offset the cost of service personnel’s costs to connect to the internet. Councilman Cordeiro suggested that the Council might agree to appropriate $500 from its contingency account to support these efforts.

It was suggested that the Clerk might place this matter on the Council’s next agenda.

Councilwoman Parella arrived at this point in the meeting (7:11 o’clock PM).
Councilman Cordeiro suggested that the Clerk might correspond with the Warren Town Council regarding the Council’s intended contribution to this most-worthy cause and ask its honorable body to consider making a similar contribution with the Clerk agreeing to send this correspondence to the Warren Town Council.

Councilman Cordeiro also noted the presence this evening of several history students from Roger Williams University.

Councilman Barboza informed those present of the Bristol Warren Regional Joint Finance Committee meeting to be held on March 27, 2008 beginning at 7:00 o’clock PM in the Council Chambers.

Councilman Barboza reminded those present of the upcoming “Bossa Nova by the Bay” event sponsored by the Pastime Theatre Foundation. This activity will be held on Friday, April 4 at the VFW hall on Hope Street.

Councilman Barboza noted the retirement of Col. Russell S. Serpa who stepped down from the position of Police Chief on March 24, 2008.

Tax Assessor Evelyn Spagnolo reported on the status of the Town-wide revaluation, noting that values were up generally but the values in the downtown area had gone down slightly.

Councilman Herreshoff suggested that the mailing to the taxpayers concerning the revaluation might include information such as the average rate of change and the old versus new valuation.

Tax Assessor Spagnolo agreed to ask the revaluation provider if they might provide this information in their mailing.

Councilman Barboza asked Tax Assessor Spagnolo to review the revaluation process for the benefit of those present with Tax Assessor Spagnolo noting that the revaluation was based upon the value of actual sales of properties.

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

Cordeiro/Barboza – Voted unanimously to approve the consent agenda as presented.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)
1. Town Council Meeting - March 5, 2008
   Barboza/Cordeiro - Voted unanimously to approve these minutes as prepared and presented.

2. Town Council Special Meeting - March 13, 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."

   3. Bristol County Water Authority/Board of Directors - February 13, 2008
   4. Bristol County Water Authority/Audit Finance Committee - March 5, 2008
   5. Bristol County Water Authority/Engineering Committee - March 5, 2008
   6. Bristol County Water Authority/Public Relations/Personnel Committee - March 5, 2008

B. OLD BUSINESS

   1. Kevin R. McBride, Vice President, Caputo and Wick Ltd. to Town Administrator Mederos re Verndale Circle, existing drainage and icing problem, continued from March 5, 2008
      Barboza/Cordeiro - Voted unanimously to place this matter on the table.

      Prior to the vote taken, Town Administrator Mederos reported that the Drainage Committee has been meeting to evaluate
this and other projects so as to establish a protocol for drainage mitigation. She further noted that any work considering Verndale Circle was being held in abeyance pending the findings of the committee.

The Council agreed to table the matter pending a further report from Town Administrator Mederos.

2. Elizabeth McDonough Noonan, Esquire, for Russell Karian, Robin Industries, Inc. - request for Text Amendment to Bristol Zoning Ordinance, continued from March 5, 2008

   a. Vincent Orman, Hope Street re overdevelopment of Bristol

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

Prior to the vote taken, Director of Community Development Williamson reported that the Planning Board has yet to render its decision but a consultant had been retained to evaluate Mr. Karian’s request. She also explained that Mr. Karian is sharing in the cost related to the consultant.

She suggested that the next time the Council may be able to hear this matter would be May 26. It was also suggested that the Council and Planning Board might attend a joint workshop prior to the final recommendation and vote.

Councilman Herreshoff asked if Mr. Karian accepted the proposed time frame with Director of Community Development Williamson reporting that he had.

After a brief discussion, the Council agreed to table the matter pending a further report from Director of Community Development Williamson and/or the Planning Board.

3. Councilman Barboza re Fire Department Rescue/Training/Headquarters Capital Project Committee, continued from March 13, 2008

   LATE ITEM
   a. Town Treasurer Day re borrowing plans

       Barboza/Parella - Voted unanimously to authorize the Bond Counsel to prepare the necessary documentation so as for the Council to borrow
capital funds according to the recommendation of the Town Treasurer and to further authorize that this project may be put out to bid.

Prior to the vote taken, Town Treasurer Day explained his memorandum as presented.

Councilman Barboza noted that the measure is not a reallocation of the voter approved bond issue but is rather capital borrowing of an amount not to exceed 15% of the Town’s Budget as allowed by State statute.

Councilman Barboza also noted that the Fire Department was hoping for competitive pricing in consideration of the current economy and that he was in support of this measure calling it a “step in the right direction.”

Council Chairman Marshall stated that he was informed that Fire Department volunteers may act to “fit-out” the building once it is constructed and weather tight so as to reduce cost.

4. (Draft) Council Resolution re Senior Resident Property Tax Service Program

Cordeiro/Barboza - Voted to adopt this resolution as prepared and presented. Voting in favor of this motion were Councilmen Marshall, Cordeiro, Barboza and Herreshoff. Voting opposed was Councilwoman Parella.

Prior to the vote taken, Councilwoman Parella stated that she found the resolution to be well-worded but was unwilling to support it since she previously considered the overall Tax Service Program to be ambiguous. She noted the vote was consistent with her earlier position.

BB. SPECIAL /STATUS REPORTS


Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with thanks to Mr. Crisman.
2. Town Administrator Mederos - Department Head Reports

a. Parks and Recreation - March 2008
b. Rogers Free Library - March 2008
c. Water Pollution Control - January and February 2008
d. Department of Public Works - December 2007
e. Department of Public Works - January 2008
f. Department of Public Works - February 2008
g. Building Inspection - December 2007
h. Building Inspection - January 2008
i. Building Inspection - February 2008

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with thanks to Town Administrator Mederos and the department heads who provided their reports.

C. PUBLIC HEARINGS


   LATE ITEM   a. Cara Cromwell, President, Save Bristol Harbor re withdrawal of objection

   LATE ITEM   b. Ordinance #2007-43, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, Section 8-57 through 8-67, (revised March 26, 2008)
c. Harbormaster Cabral re memorandum suggesting further amendments to subject ordinance

Barboza/Cordeiro - Voted unanimously to continue the matters outlined in items C1 and C2 simultaneously.

Cordeiro/Herreshoff - Voted unanimously to adopt Ordinance #2007-43, incorporating those items as suggested in the Harbormaster’s memorandum.

Cordeiro/Parella – Voted to reconsider the adoption of subject ordinance. Voting in favor of this motion were Councilmen Marshall, Cordeiro and Barboza and Councilwoman Parella; recorded as abstaining from the vote was Councilman Herreshoff.

Barboza/Cordeiro - Voted unanimously to continue this public hearing until the meeting of April 16, 2008.

Prior to the votes taken, Council Chairman Marshall noted that this matter was continued from the previous meeting and the Council would continue to hear testimony regarding the proposals.

Councilman Herreshoff asked Harbormaster Cabral to explain his position regarding mooring tackle chains with Harbormaster Cabral responding that he would like for these to be as heavy as practicable.

He further noted that he would prefer to inspect these chains “before they hit the water” and that typically, the upper portion of the chain is known to wear more rapidly than the lower portion.

Councilman Herreshoff suggested that the Harbor regulations might be more specific regarding chain specifications in the future.

Councilwoman Parella expressed concern regarding the transfer provisions as noted in Subsection 8-62 (o) with
Assistant Town Solicitor Letendre explaining that this was addressed on Page 2.

Councilwoman Parella expressed further concern that the information received did not specifically address the concerns as raised earlier by Mr. Tyska and asked what might happen should the Bristol Marine property be sold.

Mr. Dollins explained that the language relative to this matter in subsection (o) was provided by Kevin Cute of CRMC and that this language was consistent with CRMC regulations.

Councilwoman Parella expressed concern that the language in subsection (o) did not resolve the problem although she is in agreement that moorings belong to the Town and are not considered private property.

Mr. Dollins explained that the language provided in subsection (o) is found in other ordinances in other towns in Rhode Island.

He also noted that the Council may have to ultimately decide matters that cannot be resolved by either the Harbor Master or the Harbor Commission.

Councilwoman Parella asked Mr. Dollins if he was aware of the specific other towns using the same language with Mr. Dollins replying that he was uncertain.

Councilwoman Parella asked if the Harbor Commission would ever approve the transfer of a large number of mooring to another party with Mr. Dollins responding that it likely would do so were the party to be able to provide adequate sanitation, security, launch service, etc.

Mr. Dollins reported that the Commission re-considered several matter at a special meeting held on Friday, March 21 and that the ordinance proposal that is now before the Council is approved by the Commission for adoption.

He further noted that all of the changes and amendments were the subject of meetings held in public with proper notice per Town code and State law and that the Harbor Commission voted on each change proposed.

Council Chairman Marshall agreed with Mr. Dollins and further explained that the proposed changes were the result of the Harbor Commission “reaching out” to the public; holding several public meetings and workshops on the matter.
Councilman Herreshoff agreed that the process followed by the Harbor Commission was “the right way to do business.”

Speaking relative to the ordinance as proposed, Mr. Tyska explained that he was both pleased and still yet uncomfortable with some of the provisions of the proposed ordinance. He stated that he remained concerned in regard to the proposed location of any new moorings and was also concerned regarding the transfer of existing moorings. Mr. Tyska agreed, however, that the ordinance is a “working/live document” and that these matters might be resolved to his satisfaction at a later date.

Mr. Tyska also informed those present that he was in support of the provisions as outlined in the memorandum of the Harbor Master.

A discussion ensued regarding these provisions with Mr. Dollins expressing concern that the changes, although appearing minor, were not subject to the same scrutiny as the remainder of the ordinance. He suggested that the ordinance should be adopted without these additional changes.

Councilman Barboza expressed concern that the changes as proposed by the Harbor Master were received by the Council at the “eleventh hour” and that the request to consider more changes at this time might be inappropriate.

Councilman Cordeiro suggested that the Council might adopt the ordinance with the changes as proposed by the Harbor Master subject to the approval of the Harbor Commission.

The Clerk noted that it may be difficult to take the action as proposed by Councilman Cordeiro since there is not a suitable way to address the ordinance should the Harbor Commission decide the changes are inappropriate. He also noted that the Ordinance will become effective “upon adoption” and it will be difficult for the Clerk to ascertain when this “adoption” took place.

After a discussion, it was agreed that the Harbor Commission might be afforded more time to consider the proposal of the Harbor Master and that the previous vote to approve should be rescinded. It was also noted that the vote to approve was likely flawed since the Council did not vote to close the public hearing which is usually done prior to the vote on an ordinance considered as subject of a public hearing.
Councilman Barboza noted that the only matters to be further considered are the three as proposed by the Harbor Master and that the Council will likely not consider any other topics not previously discussed when it continues to hear this matter on April 16.


It is hereby noted for the record that this matter was discussed as part of agenda item C1.

D. ORDINANCES


LATE ITEM  a. Ordinance #2007-43, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, Section 8-57 through 8-67, (revised March 26, 2008)

It is hereby noted for the record that this matter was discussed as part of agenda item C1.

(CA) E. BUDGET ADJUSTMENTS

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

(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 March 5, 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

Council Chairman Marshall called for nominations to the vacant position on the Recreation Board; term to expire in February, 2009:

Councilman Cordeiro nominated Michelle Mascena

Councilman Herreshoff nominated N. Diane Davis

Herreshoff/Cordeiro - Voted unanimously to close nominations.

Voting in favor of Ms. Mascena were Councilmen Marshall, Cordeiro, Parella and Barboza

Voting in favor of Ms. Davis was Councilman Herreshoff

Council Chairman Marshall declared Ms. Mascena to be appointed, term to expire in February, 2009.

Council Chairman Marshall called for nominations to the vacant position, term to expire in February, 2010.

Councilwoman Parella nominated N. Diane Davis.

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

b. Recreation Board (2) (terms to expire 2011), continued from March 5, 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)

Council Chairman Marshall called for nominations for Recreation Board member, term to expire in February, 2011.

Councilman Barboza nominated Nancy Horne for reappointment.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Horne, term to expire in February, 2011.

Council Chairman Marshall called for nominations for Recreation Board member, term to expire in February, 2011.

Councilman Cordeiro nominated Edward J. Quinn for appointment, noting that he was troubled with having league officers as full-members of the Recreation Board. He further explained that he would prefer if Mr. DaSilva, although a valued member of the board, should serve in a lesser capacity while a league officer.

Councilwoman Parella stated that she, too, was concerned about having league officers as full members but was “torn” since she was certain that Mr. DaSilva has provided excellent service in the past. She stated that the appointment of Mr. DaSilva as alternate member might be a suitable compromise.

Cordeiro/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Quinn, term to expire in February, 2011.

c. Recreation Board - new applicants interviewed February 27, 2008, continued from March 5, 2008

1. Richard P. O’Connell, 51 Collins Street – interest/appointment

2. Edward J. Quinn, 5 Poppasquash Road – interest/appointment
It is hereby noted for the record that action concerning the above applicants was taken-up during agenda item F1b.

d. Recreation Board – Auxiliary Members (2) (terms to expire 2011), continued from March 5, 2008

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

2. Warren Rensehausen, 112 Church Street – interest/reappointment

Council Chairman Marshall called for nominations to the post of auxiliary member:

Councilman Cordeiro nominated Mr. DaSilva.

Councilwoman Parella nominated Mr. Rensehausen.

Cordeiro/Parella – Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Messrs. DaSilva and Rensehausen, terms to expire in February, 2011.

Prior to the vote taken, Council Chairman Marshall suggested that Diana Campbell might be appointed by the Council to the position of Ex-Officio member of the Recreation Board representing the School Committee since Town Ordinance calls for someone to serve in this position and Ms. Campbell is a member of the School Committee.

Ms. Campbell asked if the position of Ex-Officio member has voting privileges with the Clerk responding that the position of Ex-Officio member does not carry voting privileges according to the Town Code.

Councilman Barboza nominated Ms. Campbell to the position of Ex-Officio member of the Recreation Board to represent the School Committee.

Barboza/Cordeiro – Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Campbell, to serve at the pleasure of the Council.
e. Planning Board (2) (terms to expire 4/11)

1. Jerome A. Squatrito, 52 Fales Road - interest/reappointment
2. Michael A. DeMello, 856 Hope Street - interest/appointment
3. James W. Farley, 24 Sullivan Lane - interest/reappointment
4. Charles E. Millard, Jr. 620 Hope Street - interest/appointment

Council Chairman Marshall called for nominations to the Planning Board:

Councilman Cordeiro nominated Mr. Squatrito for reappointment.

Councilman Herreshoff nominated Mr. Millard.

Council Chairman Marshall called for a vote.

Voting in favor of Mr. Squatrito were Councilmen Marshall, Cordeiro and Barboza. There was no further vote observed.

Council Chairman Marshall declared Mr. Squatrito as re-appointed, term to expire in April, 2011.

Council Chairman Marshall called for nominations for the second position on the Planning Board:

Councilman Barboza nominated Mr. Farley for reappointment.

Councilman Herreshoff nominated Mr. Millard.

Council Chairman Marshall called for a vote.

Voting in favor of Mr. Farley was Councilman Barboza.

Voting in favor of Mr. Millard were Council Chairman Marshall, Councilman Cordeiro, Councilwoman Parella and Councilman Herreshoff.
Council Chairman Marshall declared Mr. Millard as appointed, term to expire in April, 2011.

Barboza/Herreshoff - Voted unanimously to send a letter of thanks to Mr. Farley for his many years of dedicated service to the Town.

f. Police Pension Fund - Board of Trustees (2)(terms to expire 4/11 & unexpired term to expire 4/09)

1. Robert W. McKenna, 62 Kingswood Road - not seeking reappointment

Barboza/Cordeiro - Voted unanimously to instruct the Clerk to advertise seeking applicants to fill this vacancy and to send a letter of thanks to Mr. McKenna.

g. Walter V. Burke resignation; Substance Abuse Prevention Task Force

Barboza/Cordeiro - Voted unanimously to send a letter of thanks to Mr. Burke for his service.

h. Zoning Board of Review - Alternate Member (to fill unexpired term to expire 3/09)

1. John B. Garry, Esq., 1229 Hope Street, interest/appointment

LATE ITEM

a. John B. Garry - resume

2. Michael A. DeMello, 856 Hope Street - interest/appointment

Barboza/Parella - Voted unanimously to instruct the Clerk to set interviews for these applicants to be arranged at the convenience of the Council.

2. Public Service Appointments - Supplemental
Barboza/Parella - Voted unanimously to advertise for these vacancies per the typical advertising procedure.

G. LICENSING BOARD - NEW PETITIONS

1. John J. Moss, d/b/a American Family Billiards, 87 Gooding Avenue - request for Dancing and Entertainment License

   LATE ITEM
   a. Recommendation - Town Administrator and Police Chief
   
   Herreshoff/Barboza - Voted unanimously to grant this license as per the recommendation received for a trial period to coincide with the normal expiration date of Dancing and Entertainment Licenses (July 1), subject to conformance to all laws and ordinances and payment of all fees, taxes and levies.

2. Louis A. Sousa, Esquire, for James W. Roiter, Manager, Belvedere Grille, LLC - request for Class BV Intoxicating Beverage License at 423 Hope Street

   LATE ITEM
   a. Louis A. Sousa, Esquire - request to increase number of Class BV Intoxicating Beverage Licenses by one

   LATE ITEM
   b. Recommendation - Chief of Police

   Parella/Barboza - Voted unanimously to consider an amendment to the Town Code to increase the number of Class B Victualler Limited licenses for first reading on April 16, 2008

   Herreshoff/Cordeiro - Voted unanimously to continue the matter of the request for a Class B Victualler alcoholic beverage license pending a response from the petitioner.
Prior to the vote taken, the Clerk informed the Council that there are no alcoholic beverage licenses available.

Councilwoman Parella asked when the building might be ready for occupancy with Council Chairman Marshall noting that he is informed that there will be a “ribbon cutting” in May, 2008.

Councilman Barboza reminded the Council of its policy to “shrink” the number of alcoholic beverage licenses but also to eliminate “bars” but to help restaurants remain competitive and to do so with specific “conditions” to guide the establishment’s operation and reduce problems for law enforcement.

Councilman Herreshoff agreed with Councilman Barboza regarding the Council’s desire to have less alcoholic beverage establishments. He noted, however, of the Council’s pleasure to remove the former blighted condition of the Belvedere property and suggested that the Council might agree to accommodate this request in support of the rehabilitation project.

Councilman Barboza noted that most, if not all, of the recent requests for alcoholic beverage licenses were granted Class B Victualler Limited licenses only. He expressed concern that the current applicant’s petition requests a full Class B Victualler license.

Councilman Barboza stated that he was of the opinion that granting this exception to the Council’s established practice might be inequitable.

Councilman Herreshoff noted that the previous establishment within the subject premises was the holder of a Class B Victualler license and that this establishment was successful and not troublesome.

The Council agreed, by consensus, that the petitioner may be queried so as to determine if there is a willingness to operate the proposed establishment with a limited license.

Councilman Barboza stated that he was not prepared to support a full Class B Victualler license at this time.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS
Approval of consent agenda="Motion to approve these petitions."

1. Sewer Permits - WPCF

J. PETITIONS - OTHER


   a. Recommendation - Town Administrator and Director of Parks and Recreation

      Parella/Barboza - Voted unanimously to grant this petition subject to the recommendations received; requiring that the petitioner file a certificate of insurance.

2. Council Clerk Cirillo re removal of handicap parking space - 224 Wood Street (1st reading)

   a. Recommendation - Town Administrator and Police Chief

      Barboza/Herreshoff - Voted unanimously to consider this action to be the first reading of this request to remove a handicap parking space per the recommendation received and to consider same for second reading and adoption on April 16, 2008.

3. Karl Antonevich, VFW Post 237 - request to hold Poppy Drive at Stop & Shop on May 16 & 17, 2008

   a. Recommendation - Town Administrator and Police Chief

      Barboza/Herreshoff - Voted unanimously to grant the petition per the recommendation received.

4. Frances C. O’Donnell, 4th of July Committee - request hours of 4th of July Ball be extended until midnight, June 27, 2008
a. Recommendation - Chief of Police

Herreshoff/Barboza – Voted unanimously to allow the Fourth of July Committee to hold its function until 11:30 o’clock PM provided that the band shall not play after 11:00 o’clock PM.

Prior to the vote taken, Ms. O’Donnell recognized the Council’s dilemma in consideration of the recent issues brought before the Council by the Blithewold organization and its neighbors. She also noted that she does not wish to cause additional difficulties for either party.

Councilman Herreshoff stated that he appreciates Ms. O’Donnell’s concern for the parties but also recognizes the importance of the Fourth of July in Bristol. He suggested that the Council may wish to allow some exception to accommodate this request, at least in part.

Councilwoman Parella stated that the noise issue at Blithewold is a “huge problem” and that she is inclined to “say no” to the request in consideration of same

5. Jason Sousa, 6 Varnum Street - petition re reimbursement of damages to automobile

Barboza/Herreshoff – Voted unanimously to refer this matter to the Insurance Committee.

6. Rev. Henry P. Zinno, Jr., Pastor, Our Lady of Mount Carmel Church - request use of Town Common for “Touch-a-Truck” on September 20, 2008 (rain date September 27, 2008)

a. Recommendation - Town Administrator and Director of Parks and Recreation

Herreshoff/Cordeiro – Voted unanimously to grant this petition per the recommendation received, changing the rain date to October 4 and requiring that the petitioner file a certificate of insurance.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

Page 19 of 29
1. Kathleen Viera Beaudoin, Portsmouth Town Clerk - request support of Resolution re School Housing Project Costs

   Herreshoff/Barboza - Voted unanimously to support subject resolution.

2. Stephen Elmasian, Co-Chairman, Armenian National Committee of RI - request to fly Armenian flag on April 24, 2008

   Barboza/Herreshoff - Voted unanimously to grant the petition as received.

3. Town Treasurer Day re Post Retirement Benefit Plan Investment Policy

   Barboza/Herreshoff - Voted unanimously to adopt this policy as presented.


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

5. Council Chairman Marshall - request for Executive Session pursuant to RIGL 42-46-5(a)(1)(2)(5)

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

6. Councilman Cordeiro re Re-Designation of Enterprise Zone

   a. Draft Resolution re Re-Designation of Enterprise Zone

      Barboza/Herreshoff - Voted unanimously to adopt this resolution as prepared and presented.
7. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re intention to change the management plans, policies, procedures and regulations

Barboza/Parella - Voted unanimously to refer this matter to the Town Solicitor and the Director of Community Development.

8. Cheri Charpentier, Guiteras Community Group re playground appropriation

Barboza/Cordeiro - Voted unanimously to appropriate $5000 from the Council Contingency account to support this endeavor.

Prior to the vote taken, Council members noted that this amount, coupled with an appropriation in next year’s budget will equal the Council’s contribution to the Rockwell School playground.

9. Warren Rensehausen, President Bristol KPLL 2008 - request permission to complete work at Town Common using stipend from the Town and league funds

Parella/Barboza - Voted unanimously to grant this request as presented.

10. Town Treasurer re capital borrowing referendum

LATE ITEM

a. Town Treasurer Day re borrowing plans

It is hereby noted for the record that the Town Treasurer indicated that there are no capital borrowing plans that might require a referendum as of this meeting.

11. Town Administrator Mederos re REAP RFP information

a. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns re information for REAP RFP

b. Tax Assessor Spagnolo to Town Administrator Mederos re REAP Program
Prior to the vote taken, Town Administrator Mederos noted that she was not yet aware of how other Rhode Island towns will react to this program. It was suggested that she might be given some latitude in order to act in the best interest of the Town.

12. State Senate Resolution re proclaiming May 18, 2008 as a Worldwide Neighbor Day to “Join Hands 4 Love”

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

13. Resolution re Loan to Bristol Warren Regional School District - Colt School Project

Herreshoff/Barboza - Voted unanimously to adopt and approve this loan resolution.

Prior to the vote taken, Town Treasurer Day noted that these funds will be repaid over time using a combination of the state reimbursement formula and the interest from the investments. He further noted that the loan will enable the School Committee to complete the Colt School renovations and that the financing arrangement will allow for the Colt Trust Fund to remain essentially intact.

Council Chairman Marshall congratulated Town Treasurer Day upon this plan for “creative financing” of the project.

L. BILLS & EXPENDITURES

1. Bid # 654 - Surplus Sale, Police Vehicle & Fire Department Generator

Cordeiro/Herreshoff - Voted unanimously to refer this matter to the Town Administrator, Police Chief and Fire Chief to act in the best interest of the Town.
Prior to the vote taken, the Clerk noted for the record that there were no bids received for this item.

2. Bid # 655 - Tree Planting

Herreshoff/Barboza - Voted unanimously to refer this matter to the Town Administrator and Conservation Commission to act in the best interest of the Town.

Prior to the vote taken, the Clerk announced bids received as follows:

- Allied Landscape Management Corp. $4,004.00
- Yard Works, Inc. $5,425.00
- Samuel Kinder & Bro., Inc. $4,968.00
- Hugo Key & Son, Inc. $9,000.00

(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, March 20, 2008

P. PROCLAMATIONS & CITATIONS

1. Commendation - Rick Ferreira, canine rescue

   Barboza/Herreshoff - Voted unanimously to approve this commendation as prepared and presented.

2. Commendation - Kenneth Tyler Murgo, recognition of achievements

   Barboza/Herreshoff - Voted unanimously to approve this commendation as prepared and presented.

3. Commendation - Adam Sylvia, recognition of achievement
Barboza/Herreshoff - Voted unanimously to approve this commendation as prepared and 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. Jack Reed, United States Senator to Town Administrator Mederos re Tree City Recognition

2. Warrant - Arnold Robinson, Fire Station Building Capital Project Committee

3. Warrant - Michael A. Smith, Board of Canvassers

4. Warrant - Carolyn Breslin, Alternate Member to Board of Canvassers

5. Warrant - Thomas G. Breslin, Harbor Commission


7. Warrant - Steven Roth, Alternate Member to Harbor Commission

8. Warrant - John Troiano, Alternate Member to Harbor Commission

9. (Treasurer Day) re Town Bond Rating

10. Council Clerk Cirillo to Governor Donald L. Carcieri, et al - resolution re preservation of open space in Rhode Island


12. Resolution re regulation of outdoor wood boilers
13. Walter V. Burke, Director of Parks and Recreation to Christopher Patton, George Patton Associates, inc, et al re thank you for donation of display boards

14. Walter V. Burke, Director of Parks and Recreation to Karl Antonevich, Bristol Veteran’s Council re height of pavilion at Veterans’ Memorial Park

15. Edward P. Mara, Ed.D., Superintendent to Walter Burke, Director of Parks and Recreation re thank you for display boards

16. Class F Intoxicating Beverage License - St. Elizabeth Church/Fundraiser, March 15, 2008


18. Bristol County Water Authority - Board of Directors

19. Warrant - Sean Sullivan, Substance Abuse Prevention Task Force

20. Warrant - Sara Simmons, Substance Abuse Prevention Task Force

21. Resolution re preservation of open space in Rhode Island

22. Council Clerk Cirillo to Hon. Senator Jack Reed, et al re thank you for concern for the welfare of Bristol’s citizens and continued strength of local economy

23. Director of Community Development Williamson to Town Administrator Mederos re installation of signage on Route 136 at RWU, “No Jake Braking” or “Engine Brakes Restricted” for truck traffic

a. Colonel Russell S. Serpa, Chief of Police to Town Administrator Mederos re request for installation of signage
24. Council Clerk Cirillo to Rita Ayres-Gaulin, Director, Benjamin Church Senior Center re Emergency Training Program American Red Cross

25. Council Clerk Cirillo to Hon. Stephen C. Waluk, Mayor, City of Newport re thank you for invitation to 52nd Annual St. Patrick’s Day Parade

26. Council Clerk Cirillo to Edward J. Correia, Zoning Board of Review re thank you for service

27. Council Clerk Cirillo to Lori Nunes, Substance Abuse Prevention Task Force re thank you for service

28. Resolution re Animal Shelter Bond

29. Warrant - Joseph P. Asciola, Zoning Board of Review

30. Council Clerk to Sen. David Bates et al re Council opposition to Senate Bill 2668

(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, March 12, 2008

2. Bristol County Water Authority - Annual Meeting, March 12, 2008

3. Bristol County Water Authority/Public Relations/Personnel Committee - March 5, 2008

4. Bristol County Water Authority/Engineering Committee - March 5, 2008

5. Bristol County Water Authority/Audit Finance Committee - March 5, 2008
6. Bond Project Building Committee (Colt Andrews) - March 10, 2008


9. Coastal Resources Management Council - March 2008 Calendar


12. Bristol County Water Authority - April 2008 Meetings


S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Joint Finance - Council Chairman Marshall noted that the Bristol Warren Regional Joint Finance Committee will meet tomorrow evening at 7:00 o’clock PM.

b. Thank You Mike Davis - Council Chairman Marshall thanked Mr. Davis for his work toward bringing the Council meeting to television.
2. CORDEIRO

a. Battery “C” Fundraising – Councilman Cordeiro reminded those present of his earlier announcement concerning fundraising to bring internet service to the members of RING Battery “C” serving in Iraq.

3. PARELLA

4. BARBOZA

5. HERRESHOFF

a. Budget – Councilman Herreshoff asked those present to “be careful not to become complacent” regarding the upcoming budget public comment period. He noted that there would likely be minimal tax increases, if any.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Lights Out America – Town Administrator Mederos noted the upcoming “Lights Out America” observance asking all to turn off unnecessary lighting between the hours of 7 and 8 PM on March 29 and to install at least one energy efficient light bulb.

b. RIDOT College Student Program – Town Administrator Mederos announced a new program where the RI DOT will mentor student interns within their ongoing projects and allow the students the opportunity to work along with professionals in the field.

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CITIZENS PUBLIC FORUM

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Cordeiro/Herreshoff - Voted unanimously to adjourn into Executive Session pursuant to RIGL 42-46-5 (a) (1), (2), and (5).

Parella/Herreshoff - Voted unanimously to resume open session and seal the minutes of the
Executive Session at 11:10 o’clock PM.

There being no further business upon a motion by Councilwoman Parella, seconded by Councilman Barboza and unanimously voted, the Chairman declared this meeting to be adjourned at 11:11 o’clock PM.

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Louis P. Cirillo, CMC
Council Clerk