

PRESENT: Marshall, Cordeiro, Parella, Barboza, & Herreshoff

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

The Council met in regular session on Wednesday evening, February 25, 2009 in the Town Hall Council Chambers beginning at 7:05 PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's agenda, Council Chairman Marshall noted the approaching springtime as a note of optimism. He also noted that the televised speech of President Barack Obama broadcast the previous evening contained messages of optimism and also portrayed a "sense of urgency and community."

Council Chairman Marshall also informed those present that the meeting held on Saturday, February 21, 2009 with members of the local General Assembly delegation along with representatives from the School District and Warren Town Council was productive.

Council Chairman Marshall explained that a second component of the Saturday meeting gave the Council the opportunity to meet with Town Administrator Mederos, the Clerk and various department heads in strategy session concerning the upcoming Town budget.

Council Chairman Marshall announced that the Kickemuit River Council in cooperation with Warren Town Councilor Joseph DePasquale will host a 45 minute video presentation to reveal the dangers of Liquefied Natural Gas ocean transport.

Council Chairman Marshall also informed those present of a meeting held last evening (February 24, 2009) deemed the "Bristol Conservation Summit" with dozens of conservation-oriented groups in attendance. Director of Community Development Williamson noted that the meeting was "very productive" and provided the opportunity for the various groups to "network and collaborate."

Councilman Barboza noted the upcoming Bristol Warren Joint Finance Committee meetings to be held on March 4 and March 19. He also noted that this year promises to be "challenging" and that he is informed that State aid to education remains questionable.

Councilman Herreshoff asked if information from the State regarding State-aid will be available prior to the Joint

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

Finance Committee making its decision with Councilman Barboza responding that he was attempting to discover this information.

Council Chairman Marshall observed that all of Rhode Island's cities and towns appear to be facing the same uncertainties and that it was difficult, if not impossible to put forth budgets under these circumstances.

Councilman Herreshoff stated that recent newspaper articles seem to indicate that private schools are facing financial problems and may be forced to close, this likely causing an influx of new students into the public schools and further financial obligations.

Councilman Cordeiro informed the Council that as a member of the Board of Trustees of Rogers Free Library the library use appears to be on the up rise with 793 new registrations since September 2008. He also explained that of the 793, 762 were Bristol residents.

Council Chairman Marshall noted that he was pleased that libraries are not a "dying breed" since some citizens expressed this concern prior to the expansion of the Rogers Free Library.

Councilman Herreshoff informed the Council that the first public library was founded by Benjamin Franklin in Philadelphia.

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

Cordeiro/Herreshoff - Voted unanimously to approve the Consent Agenda withholding agenda items R29 and R30 for further consideration.

Prior to the vote taken Councilman Barboza suggested that the Council may wish to further consider docket items R29 and R30.

Barboza/Parella - Voted unanimously to combine agenda items C1 and G1 and agenda items J2, J3 and R30.

Prior to the vote taken, Councilman Barboza suggested that the Council may wish to consider the agenda items as noted in the motion above simultaneously.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - January 21, 2009

Barboza/Herreshoff - Voted unanimously to accept these minutes as prepared and presented.

2. Town Council Meeting - January 28, 2009

Barboza/Herreshoff - Voted unanimously to accept these minutes as prepared and presented.

3. Town Council Special Meeting - February 12, 2009

Barboza/Herreshoff - Voted unanimously to accept 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. North and East Burial(s) Commission - September 22, 2008
2. Mosaico CDC (Board of Directors) - November 19, 2008
3. Mosaico CDC (Board of Directors) - December 3, 2008
4. Board of (Fire) Engineers - February 2, 2009
5. Harbor Commission - February 2, 2009
6. Board of Canvassers - June 25, 2008
7. Board of Canvassers - July 29, 2008
8. Board of Canvassers - September 5, 2008
9. Historic District Commission - January 8, 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

10. Recreation Board - November 18, 2008
11. Fourth of July Committee - March 12, 2008
12. Fourth of July Committee - April 9, 2008
13. Fourth of July Committee - May 6, 2008
14. Fourth of July Committee - June 17, 2008
15. Fourth of July Committee - August 5, 2008
16. Fourth of July Committee - September 10, 2008
17. Fourth of July Committee - October 15, 2008
18. Fourth of July Committee - November 12, 2008
19. Bristol County Water Authority/Public Relations/Personnel Committee - February 4, 2009
20. Bristol County Water Authority/Engineering Committee - February 4, 2009
21. Bristol County Water Authority/Audit Finance Committee - February 4, 2009
22. Bristol County Water Authority/Board of Directors - January 14, 2009
23. Bristol Housing Authority - January 15, 2009
24. Personnel Board - December 9, 2008

**B. OLD BUSINESS**

1. Councilwoman Parella re Opportunities for Tri-Town Collaboration Report, May 1992, **continued from January 28, 2009**

Barboza/Cordeiro - Voted unanimously to instruct the Clerk to correspond to the Political Science and Public Administration departments of Rhode Island College and Salve Regina University and also the Roger Williams University Public Policy Institute and "target names" as provided by Councilwoman

Parella so as to locate a suitable graduate student intern and to continue this matter until the meeting of March 11, 2009.

Prior to the vote taken, Councilwoman Parella informed the Council that the Collaboration study needs to have a dedicated person to "really take a look" and suggested that this might be done by a graduate student as a "final project" in fulfillment of his or her studies prior to graduation.

She suggested that the Clerk might contact the institutions as outlined in the above motion to determine if this volunteer student would be made available and that she (Councilwoman Parella) would be willing to work directly with the student.

Councilwoman Parella also noted that Warren Town Council President David Frerichs informs her that he read the document and that it was greatly applicable to present circumstances.

It was further suggested that Bristol, Warren and Barrington Town Council might appoint a representative committee to evaluate possible collaboration opportunities.

Councilwoman Parella stated that she planned to speak to Town Administrator Mederos further regarding this matter.

2. Edward P. Mara, Ed.D., Superintendent, Bristol Warren Regional School District re decommissioning Byfield and Reynolds Schools, **continued from January 28, 2009**

a. Edward P. Mara, Ed.D., Superintendent, Bristol Warren Regional School District to Town Administrator Mederos re rejection of request to maintain Reynolds School for a period of six months

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

Prior to the vote taken, Councilman Herreshoff noted that February 1 has passed and asked if the Town has assumed responsibility for the subject buildings with Town Administrator Mederos responding that the Town "has the

keys." She also noted that the buildings are receiving regular security checks.

Councilman Barboza observed that it appears somewhat "incongruous" that the School District would abandon these buildings since the near-future enrollment is yet unknown and that he was concerned that the District might determine that the buildings will be needed once the Town finds a new tenant.

Councilman Herreshoff stated that he was disappointed to learn that the expansion/renovation of the Colt and Andrews Memorial Schools did not include any room for growth. He also stated that the Reynolds and Byfield Schools were in good condition and had been recently upgraded. He, too, speculated that the School District may return and ask to again use the Reynolds and Byfield Schools and that the Town should "tread lightly" with its future plans for these buildings.

Councilwoman Parella suggested that any of the Town's plans should include "a way out" since she, too, was concerned that the buildings would be again needed by the School District. She also stated that she was concerned that the School District's move to abandon the school buildings might be a clandestine way to force the Town to build a new school.

Councilwoman Parella noted that discussions with the School District representatives and State Legislators on Saturday revealed an idea to send some of Bristol's elementary school pupils to the Hugh Cole School in Warren. It was noted that this was not allowed by the State enabling legislation as approved by the voters and that any such action would require an affirmative vote by the voters of both towns.

Councilman Barboza expressed concern that if this matter was to be considered by the voters prior to the next general election that the Town would incur a large special election expense.

Councilwoman Parella stated that she was pleased to learn from Town Administrator Mederos that the Town was monitoring the condition of the buildings in fear they would fall into disrepair if not looked after.

3. Bristol County Court House/State House Meeting Room, **continued from January 28, 2009**

Cordeiro/Herreshoff - Voted  
unanimously to refer this matter to  
the planned Executive Session (S1)

4. Councilman Herreshoff re future Revaluations,  
**continued from January 28, 2009**

- a. Council Chairman Marshall re request for Council Workshop with Board of Tax Assessment Review; sending a copy of Councilman Herreshoff's memorandum (sub item b.) to each member in advance of same
- b. Councilman Herreshoff re recommendations for future Revaluations

Herreshoff/Cordeiro - Voted  
unanimously to establish a  
citizens' revaluation advisory  
committee and to invite citizen  
participation in same.

Prior to the vote taken, Councilman Herreshoff noted that his concern for this matter was the result of the distress expressed by some of his constituents. He presented the information contained in his correspondence prepared for this purpose and assured the Council that his intention was not to suggest "radical" changes to the tax revaluation process.

Councilman Herreshoff noted that it might take as long as two (2) years to approve a new technique and process and that his memoranda outlined ideas and objectives for positive change.

Council Chairman Marshall suggested that this matter would be best addressed in a special Town Council workshop called by the Council solely for this purpose. He further suggested that Mr. Casalegno and others who expressed concern about Board of Tax Assessment Review be invited. Council Chairman Marshall also suggested that Tax Assessor Spagnolo, Town Treasurer Day, Town Solicitor Ursillo and Town Administrator Mederos should be in attendance at this special workshop.

Councilwoman Parella suggested that the workshop might be held after the Council's upcoming budget deliberations with the Council in agreement that the Clerk would arrange this special workshop after the budget sessions.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

Councilman Herreshoff suggested that the Council should take the time to deliberate on the matter and "do it right."

Councilman Herreshoff read from his memoranda. He expressed concern that the firm recently retained to complete the revaluation may not have been properly certified.

Councilman Herreshoff informed the Council that the Board of Tax Assessment Review is a "good board in need of help." He suggested that the Town may allow for an "objective professional outsider with a background in assessment" and that the Council/citizen advisors should look at a ten (10) year schedule for revaluations and statistical reviews.

Councilman Herreshoff noted that most of the changes he believes are necessary will require the permission of the General Assembly and also a Town Charter amendment as approved by the voters in some future election. He explained that the entire process will be "lengthy."

Councilman Herreshoff also suggested that the Town/State should adopt a form of what he described as the "Ohio method" in that drastic changes in tax valuations are not allowed.

Councilman Herreshoff also stated that he was generally opposed to the current method of determining tax valuations and that these should be modified.

Councilman Herreshoff stated that he "applauds" the efforts of the Tax Assessor in her work on behalf of the Town but that the role of the Assessor should be better defined and that the Board of Tax Assessment Review should serve in the capacity of a "tax court."

Councilman Herreshoff further suggested that the Council should advertise for and appoint a Citizens Revaluation Advisory Committee and that this group should be provided with a limited amount of time to make recommendations for improvement to the Council.

Council Chairman Marshall suggested that those persons known to have provided information to the Council regarding the revaluation process might be invited to attend the special workshop.

Councilman Herreshoff agreed that a special workshop would be advisable and that those citizens who have provided correspondence to the Council regarding this specifically be invited to attend.

Councilman Cordeiro expressed concern that this proposed workshop would not be productive but might rather simply be a complaining session for disgruntled persons with Councilman Herreshoff stating that the Chairman should make the purpose of the workshop extremely clear in that it is not for the purpose of resolving personal tax problems.

Town Solicitor Ursillo reminded the Council that those persons who are dissatisfied with their current tax valuation may file complaints until November.

5. Town Treasurer Day re Recycling Truck purchase, **continued from January 28, 2009**

Cordeiro/Barboza - Voted unanimously to approve the purchase as requested.

Prior to the vote taken, Council Chairman Marshall noted that the financing plan, as proposed and recommended by the Treasurer was to the Town's advantage.

Councilman Herreshoff asked to know if the new truck will be able to carry more recyclables with Public Works Director Serbst responding positively, that the unit compacts the cans and bottles thus saving one or two trips to the Central Landfill each week.

Public Works Director Serbst also explained that the current blue truck is basically a thirty (30) yard container that is used to transport the recyclables from curbside to the Johnston landfill.

Public Works Director Serbst also informed the Council that his department was able to test the new vehicle for one week prior to its purchase and that the test was successful. He also explained that the proposed truck has the capability to lift the 90 gallon cans and that the present vehicle is beyond repair since his maintenance personnel are now "welding the welds."

Councilman Barboza agreed with Public Works Director Serbst in that the current blue recycling truck appears to be "held together with duct tape."

Councilman Cordeiro noted that the proposed finance plan appeared to be "innovative" and to "the Town's advantage."

TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009

6. Henry Sousa, 147 Bay Spring Avenue #207, Barrington - reconsider request in the near future for a local pension

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

7. Lois A. Ferreira, 80 Mt. Hope Avenue re dog owners not abiding by Section 6-80 of the Town Code re Canine waste removal

- a. Town Code Section 6-80, Canine waste removal

Barboza/Parella - Voted unanimously to refer this matter to the Town Administrator.

Prior to the vote taken, Councilwoman Parella noted that Ms. Ferreira raises valid concerns and that the situation in the wintertime appears to be worse than the remainder of the year. She asked to know why dog-walkers are often observed not carrying refuse bags and that her father erected a homemade sign to remind dog-walkers of their obligation to remove waste.

Councilwoman Parella explained that Lindsay Green has developed a "pooper scooper" sign and that the Town might consider installing signs in problem areas.

Barboza asked to know if the Town Administrator might be able to provide a cost analysis concerning the installation of waste-bag dispensers. Councilwoman Parella agreed that this may pose a solution and Town Administrator Mederos agreed to investigate same.

Town Administrator Mederos also noted that she has spoken to Recreation Director Burke regarding the installation of signs in Town parks.

Council Chairman Marshall informed the Council that the town of Narragansett and city of Newport have installed bag dispensers.

8. Council Clerk Cirillo re Recreation Department Form for special events including the provision for a \$500 refundable (security/damage) deposit

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

Prior to the vote taken, Councilman Barboza expressed concern that there were at least eleven (11) cars parked on the grassy areas of the Town Common at approximately 12:30 o'clock PM this date despite the fact that on-street spaces were available. He noted that the illegal parking on the Town Common grassy areas resulted in ruts and that the practice "defies logic." Councilman Barboza also suggested that the Town might consider deterrent signage.

Town Administrator Mederos reported that she and Police Chief Canario plan to meet with the officials of the Town Common area churches within the next two weeks.

Councilman Cordeiro observed that the police department may wish to step-up some of its patrols regarding illegal parking etc., since he observed motorists making u-turns in the center of Hope Street in the vicinity of the Rogers Free Library.

Councilman Herreshoff noted a provision on page 3 of the Recreation department form concerning liability insurance with Town Solicitor Ursillo agreeing to review same.

9. Councilman Herreshoff re Museums status under the Federal Stimulus Bill

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

Prior to the vote taken, Councilman Herreshoff noted that the early Federal stimulus legislation provided that a certain portion of the funds would support museums and that the provision was removed from the legislation and later again replaced. He suggested that those museums in Bristol with acceptable improvement programs that might benefit from the stimulus funding should apply for same.

Councilman Herreshoff also informed the Council that it was unusual for a town the size of Bristol to have so many quality museums and that he was proud of the fact.

Council Chairman Marshall also encouraged the local museums to apply for stimulus funds.

10. Town Solicitor Ursillo re Weaver's Cove proposal
  - a. Linda Brunini-Formica, Representative Member, Kickemuit River Council re Weaver's Cove proposal
  - Late Item** b. Draft Resolution re opposition to proposal of Weaver's Cove Energy, LLC and Liquefied Natural Gas transportation
  - Late Item** c. RI House Resolution 2009 - H 5533 re opposition to Weaver's Cove proposal

Barboza/Parella - Voted unanimously to adopt the resolution as prepared and presented and to instruct the Clerk to provide copies of same to the members of the Rhode Island Congressional delegation and the local General Assembly delegation.

Prior to the vote taken, Council Chairman Marshall introduced State Representative Raymond E. Gallison, Jr., who informed the Council that the Weaver's Cove project was again in the form of a new proposal and that this proposal - in Massachusetts waters - had been tentatively approved by the Federal Energy Regulatory Commission (FERC). Representative Gallison stated that he was not optimistic at this point.

Rep. Gallison outlined the proposal and informed the Council that although the Narragansett Bay harbor masters are in opposition to the plan, a former Massachusetts harbor master appears to have written a letter of support for the project.

Rep. Gallison stated that Rhode Island will not allow for a dredging permit but he was uncertain as to whether or not Massachusetts will allow one. He also informed the Council that Attorney General Lynch's office has been most cooperative.

Rep. Gallison stated that he would ask the Congressional delegation to arrange a meeting with FERC.

Rep. Gallison informed the Council that the required safety zone will be challenged and that the overall goal is to stop the project. He further explained that the plan calls for one large tanker vessel to visit approximately every five

days and that this matter should be discussed at a public hearing.

Rep. Gallison suggested that all concerned citizens should relay their position on this matter to their Senators and Congressmen.

Councilman Cordeiro asked to know if the neighboring coastal communities were "on board" in opposition to the Weaver's Cove proposal with Rep. Gallison responding affirmatively.

Rep. Gallison suggested that the Town might support his General Assembly resolution; provide a letter in opposition to the Weaver's Cove plan to the Congressional Delegation; and also prepare its own resolution in opposition to the plan.

A discussion ensued regarding the proposed "security zone" that will essentially encompass the whole Mount Hope Bay.

Stephan Brigidi, representing Save Bristol Harbor, noted that his organization's attorney Prentiss will file a brief on its behalf in consideration of fish habitats. Save Bristol Harbor asserts that any dredging in Mount Hope Bay may negatively impact white fish habitats.

Council Chairman Marshall stated that aquaculture might be put in jeopardy and that this is critical to economic development.

Mr. Brigidi also stated that the proposed plan will negatively impact tourism; another economic development staple.

Councilman Barboza asked if Mr. Brigidi might have information regarding the possibility of dredging in Massachusetts waters with Mr. Brigidi responding that the various forces are "working on this" with the Massachusetts counterpart of the RI DEM. He also noted that the City of Fall River has been "vigilant" regarding the matter.

Town Solicitor Ursillo stated that he has been in contact with Attorney Prentiss regarding this matter.

Joseph Arruda of Save Bristol Harbor read the following statement:

*Save Bristol Harbor is discussing this LNG project with the City of Fall River's attorney and have engaged our won lawyer to make a motion to intervene on this LNG*

project. We were advised that the safety risks are well known however the impact to the local environment needs to be explored and the analysis questioned.

In addition to the safety concerns already stated, there are also environmental concerns posed by the Weaver's Cove Energy Project proposal which include the dredging of approximately seventy-three (73) acres of winter flounder habitat.

This fish is known to us locally as the "flat fish," and winter flounder is both a recreational and commercial fish.

The winter flounder commercial catch, as reported by the NOAA NMF service, has declined from a high of 6.4 million pounds in 1985 to approximately 1.2 million pounds in 2007.

The dredging for the PiP insulated LNG pipe from the berth to the storage will disrupt the bottom sediment on which the winter flounder eggs are deposited in the later fall to winter months in shallow waters. Sediment deposited over these eggs as a result of the dredging has the potential to kill the eggs and not allow the fish to develop to reproductive maturity. Only mature winter flounder return to their birth place, hence, thereby negatively affecting the local population. In addition, there are definite concerns over heavy metal contamination from the disrupted sediment, specifically arsenic due to deposited coal tar in the area.

The Weaver's Cove Energy LNG project has the potential to harm our citizens and negatively impact our local winter flounder fishery. We respectfully request that the Town of Bristol join Save Bristol Harbor and make a motion to intervene to the Federal Energy Regulatory Commission in rejection of this LNG proposal.

Thank you,

J. Arruda  
S. Brigidi  
Save Bristol Harbor

11. Council Chairman Marshall re request for Council to study feasibility of East Bay Region wind farm consortium

Barboza/Parella - Voted unanimously to support the establishment of a regional wind farm consortium.

Prior to the vote taken, Council Chairman Marshall noted that this idea is to submit a grant proposal to the State of Rhode Island in order to develop an overall plan to place up to fifty (50) wind turbines and that the region would be the beneficiary of the generated electricity.

Council Chairman Marshall stated that there was considerable interest locally and the expense of the creation of the wind farm might be repaid in approximately four to five years.

Council Chairman Marshall stated further that the idea would be beneficial to both the State and local economies and that this would represent "a serious rebuttal to the LNG plan being shoved down our throats."

Council Chairman Marshall explained that the time to submit the application for funding was running short and that he encouraged that this be completed as soon as possible.

Councilman Herreshoff expressed concern regarding the overall appearance of a wind farm although he conceptually supports studying the idea. He further explained that he would reserve judgment on the proposal once a more complete plan and proposed location is known.

Councilman Cordeiro suggested that the consortium should get the U.S. Navy involved. He also explained that he was aware that the country of Portugal enjoys successful wind farms and also ocean-wave action electrical generators.

Council Chairman Marshall suggested that the consortium might consider a type of "hybrid" wind farm that includes the collection of solar energy.

Councilwoman Parella reminded the Council that the Industrial Revolution in the United States began in Rhode Island with the Slater Mill and that the idea of harnessing water energy has run full-circle with ideas to newly utilize water power. She also stated that she was surprised to realize that that Congress was not yet prioritizing these alternate energy sources.

Director of Community Development Williamson informed the Council that she would attend a meeting next week to discuss

the "nuts and bolts" of the application and that each Town is asked to name two representatives to the consortium. She further stated that the application for funding will ask for a consultant to work out the legal framework of the consortium. She also noted that the proposed wind farm may require zoning approval, etc.

Councilwoman Parella noted that this was a first step in what promised to be a large undertaking.

Director of Community Development Williamson stated that the energy grant, if approved, would provide a feasibility study.

BB. SPECIAL /STATUS REPORTS

1. Town Administrator Mederos - Department Head reports
  - a. Public Works - October 2008
  - b. Public Works - November 2008
  - c. Public Works - December 2008
  - d. Public Works - January 2009
  - e. Fire & Rescue - July 1, 2008 - September 30, 2008
  - f. Fire & Rescue - September 30, 2008 - December 10, 2008
  - g. Building Inspection - October 1, 2008 - October 31, 2008
  - h. Building Inspection - November 1, 2008 - November 30, 2008
  - i. Building Inspection - December 1, 2008 - December 31, 2008
  - j. Building Inspection - January 1, 2009 - January 31, 2009
  - k. Parks and Recreation - February 10, 2009
  - l. Human Services and Welfare - February 10, 2009

TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009

- m. Water Pollution Control - February 2009
- n. Rogers Free Library - February 19, 2009
- o. Police - February 2009
- p. Fire & Rescue - February 19, 2009

**Late Item**

- q. Tax Assessor - February 23, 2009

Barboza/Cordeiro - Voted  
unanimously to receive and place  
this matter on file with thanks to  
the department heads that provided  
their reports.

Prior to the vote taken, Town Administrator Mederos noted some "bright spots" in the reports provided; in particular that the Fire Department was 15% ahead of last year in its cash receipts for billed services and the Herreshoff Meeting Room at the Rogers Free Library was "booming;"

She also noted that Human Services Director Carusi informs her that requests for aid are on the up rise.

Council Chairman Marshall informed those present that the Council plans to help in any practical way during "hard times."

Councilwoman Parella asked to see an informal comparison between the Building Official's report of this year versus one year ago.

C. PUBLIC HEARINGS

- 1. Rev. Daniel B. Randall, Senior Minister,  
First Congregational Church, 281 High Street  
- request for Junk and Second Hand Dealer's  
License to open a Food Pantry and Thrift  
Store at Franklin Court, 150 Franklin Street

It is hereby noted for the record that this agenda item was combined with agenda item G1 (license).

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

Herreshoff/Barboza - Voted  
unanimously to grant this license

based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies and taxes with the exception of those specifically waived by the Council.

Prior to the vote taken, Council Chairman Marshall opened the public hearing and asked to first hear from those in favor of the petition.

Speaking in favor of the petition and representing the petitioner was Rev. Daniel B. Randall. Rev. Randall informed the Council that the purpose of the enterprise was to provide food to the needy. He offered to answer any and all questions posed by Council members and the public.

Council Chairman Marshall informed those present that the Council was generally pleased with groups which show initiative in helping the less fortunate. He asked if the proposed food pantry and thrift shop was a CDBG opportunity with Director of Community Development Williamson responding that it was.

Also speaking in favor of the petition was the Rev. Mary Aberg of Highland Road. Rev. Aberg, also representing the petitioner informed the Council that the timing of this enterprise appeared "perfect" and that the group hopes to sell second-hand merchandise and use the proceeds to purchase food for the food pantry.

Councilwoman Parella asked if the group will be seeking donations of used items with Rev. Aberg responding that the Church formerly held a rummage sale and that donations of used goods did not appear to be lacking.

Rev. Randall stated that the space in the Franklin Court building is sufficiently large to allow for furniture and appliances and that the shop should appeal to a wide constituency.

No remonstrance was offered in opposition to the petition.

#### D. ORDINANCES

1. Ordinance 2009-01, CHAPTER 8, Boats, Docks and Waterways, Article I, In General, Section 8-3 through 8-4, Article II, Harbor Regulations, Section 8-49 through 8-69, **2nd reading**

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-01. Advertise in local newspaper.

2. Ordinance #2009-02, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 16-143, Parking prohibited at all times (Old Ferry Road), **1<sup>st</sup> reading**
  - a. Robert Rocchio, P.E., Secretary, State Traffic Commission to Deputy Police Chief Guercia re request to prohibit parking on Old Ferry Road

Barboza/Herreshoff - Voted unanimously to consider this action to constitute the First Reading of Ordinance #2009-02. Advertise in local newspaper.

3. Ordinance #2009-03, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 1, Generally, Section 17-52, Closing hour, **1<sup>st</sup> reading**

Barboza/Parella - Voted unanimously to consider this action to constitute the First Reading of Ordinance #2009-03. Advertise in local newspaper.

**(CA) E. BUDGET ADJUSTMENTS**

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

1. Tax Assessor Spagnolo - Recommended Abatements and Additions for February, 2009

**Late Item** a. Tax Assessor Spagnolo - Recommended Abatements and Additions for February, 2009 (Supplemental)

**(CA) F. APPOINTMENTS**

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

1. Public Service Appointments

a. Charter Review Commission (9)

1. Antonio Teixeira, 21 Cottage Street - interest/appointment
2. Edward J. Correia, 46 Varnum Avenue - interest/appointment
3. Joseph F. Parella, 1 Cedar Drive - interest/appointment

Barboza/Cordeiro - Voted unanimously to refer this matter to the Clerk so that he may arrange an interview schedule.

b. Recreation Board (1) (term to expire 2/2012)

1. Michelle C. Mascena, 381 High Street - interest/reappointment
2. Lisa J. Guercia, 22 Woodlawn Avenue - resignation

Councilman Barboza nominated Ms. Mascena for reappointment.

There were no counter nominations.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Mascena, term to expire in February, 2012.

Herreshoff/Barboza - Voted unanimously to accept the resignation of Ms. Guercia with considerable regret and to authorize the Chairman to arrange for a special meeting with present and former Recreation Board members

so as to discuss the future of this board.

Prior to the second vote taken, Council Chairman Marshall suggested that the Council might plan a special session with past and present members of the Recreation Board so as to communicate with same and determine a course of action for the future.

Councilman Herreshoff suggested that Ms. Guercia should be invited to attend with the Chairman in agreement.

Council Chairman Marshall also suggested that the list of attendees should include former member JoAnn Morra and the Auxiliary members.

Council Chairman Marshall also suggested that the Council may consider holding "exit-interviews" for those board and commission members who leave Town service.

Councilman Barboza reminded the Council that each board and commission has a Council liaison and that the liaisons might serve as the ombudsman between the boards and the Council.

Councilwoman Parella suggested that some individuals may not wish to comply with an exit interview. She further suggested that these persons might be encouraged to submit their thoughts for improvement, etc. in a memorandum to the Council or Council liaison.

c. Bristol County Water Authority (2) (term to expire 2/2012 and to fill unexpired term to expire 2/2010)

1. Frank J. Sylvia, 78 High Street - interest/reappointment

Councilman Cordeiro nominated Mr. Sylvia for reappointment.

There were no counter nominations.

Cordeiro/Barboza - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in favor of Mr. Sylvia, term to expire in February, 2012.

2. David Dugan, 16 Fesser Avenue - interest/appointment

Councilman Barboza nominated Mr. Dugan for appointment.

There were no counter nominations.

Barboza/Parella - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in favor of Mr. Dugan to fill the unexpired term as vacated by Mr. Ian Morrison, term to expire in February 2010.

d. Conservation Commission

1. Stanton Ose, 22 Gibson Road - resignation

Barboza/Parella - Voted unanimously to accept this resignation with regret and to advertise the vacancy.

e. Board of Fire Engineers (mid-term appointment of Assistant Chief)

1. Recommendations - Fire Chief

Councilwoman Parella nominated David Coccio to fill the unexpired term of Frank Sousa to the rank of Assistant Chief of the Board of Fire Engineers as presented by Fire Chief Martin in accordance with Sec. 12-57 of the Town Code.

Parella/Herreshoff - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor Mr. Coccio, term to expire in 2009.

- (CA) 2. Public Service Appointments for March

G. LICENSING BOARD - NEW PETITIONS

1. Rev. Daniel B. Randall, Senior Minister, First Congregational Church, 281 High Street - request for Junk and Second Hand Dealer's License to open a Food Pantry and Thrift Store at Franklin Court, 150 Franklin Street (See Item C1 also)

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

2. David F. Lucas, d/b/a ACE Construction Company, Inc., 269 Greenville Avenue, Johnston - request for Drainlayer's License
  - a. Recommendation - Town Administrator and Director of Public Works

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

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

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

1. WFCF - Sewer Permits

J. PETITIONS - OTHER

1. Council Clerk Cirillo re removal of handicap parking space from official list at 26 Shaw's Lane, **1<sup>st</sup> reading**

Herreshoff/Cordeiro - Voted unanimously to consider this action to constitute the First Reading of the request to remove a handicap parking space and forward same to the meeting of March 11, 2009 for Second Reading for adoption.

2. Lisette & Patrick Miranda, 1 Pine Ridge Circle, Taunton, Ma - request for waiver re motor vehicle excise tax interest

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

*It is hereby noted for the record that this matter was considered along with agenda items J3 and R30.*

Herreshoff/Parella - Voted unanimously to authorize the Treasurer to waive interest for the years 1999 and 2000 only.

Prior to the vote taken, Town Treasurer Day informed the Council that changes to the method of delinquent motor vehicle tax collection has resulted in some confusion and delay and that it is accepted practice that he was authorized to waive 50% of the accrued interest.

Councilman Herreshoff noted that the practice to waive 50% of the accrued interest appeared to be a good compromise.

Town Treasurer Day explained that since so much time has elapsed, 50% of the accrued interest eclipses the original tax amount.

Councilwoman Parella asked to know if an overall interest-amnesty program might result in a higher percentage of tax collection with Town Treasurer Day responding that these matters appear to be fairly rare and that he did not believe that an amnesty program would improve tax collection.

Town Administrator Mederos stated that since the time frame discussed was nearly 10 years she recommended that the Council consider waiving the interest.

Councilman Herreshoff suggested that the Council might consider this matter for "one time only."

3. Julie Veader, 37 Lafayette Drive - request for waiver re motor vehicle excise tax interest

*It is hereby noted for the record that this matter was considered along with agenda items J2 and R30.*

4. Sandra Tolley, Chair, First Congregational Church Fund Raising Event - request to hold "Art Affair on the Fence" on the corner of Bradford and High Streets, August 15, 2009 (rain date August 22, 2009)

**Late Item**

- a. Recommendation - Town Administrator and Police Chief

Herreshoff/Parella - Voted  
unanimously to grant this petition  
per the recommendations received.

5. Adrian Bermudez, 55 Court Street re claim for  
automobile damage

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

6. Council Chairman Marshall re request for  
allocation not to exceed \$600 from "Grant  
Procurement and Research" budget line in  
support of economic development grant  
generation

**Late Item** a. J. Alan Crisman, Executive Director,  
Mount Hope Enterprise Zone re  
recommendation of Diane (Dyan) Vaughan  
for Grant Writing Support

**Late Item** b. Proposal/Contract re Grant Writing  
Consultant (Dyan Vaughan)

Barboza/Cordeiro - Voted  
unanimously to appropriate \$600  
from the Council Contingency in  
support of this request and to  
authorize the Town Administrator to  
sign the contract.

Prior to the vote taken, Council Chairman Marshall stated  
that this request was for an amount not to exceed \$600 in  
support of the preparation of a grant application for the  
Bristol Industrial Park.

Councilman Herreshoff asked if the current owner was a party  
to this action with Council Chairman Marshall responding  
that there were several participants including the  
Redevelopment Agency since this group has become involved  
through a Tax foreclosure.

Councilman Herreshoff noted that much of this complex has  
been attractively revitalized and that the "Industrial Park"  
portion was the last remaining blighted area.

Council Chairman Marshall stated that the Town's  
participation in this grant application was "all in our  
favor."

7. Asim Samuel, 67 Catherine Street re claim for automobile damage

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

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Town Treasurer Day re proposed legislation relating to the collection of motor vehicle excise taxes
  - a. Draft Resolution re collection of motor vehicle excise taxes

Barboza/Cordeiro - Voted unanimously to adopt this resolution as prepared and presented and to forward same to the local General Assembly delegation for its consideration.

2. Louise R. Phaneuf, Burrillville Town Clerk - request for support of two (2) resolutions relating to Articles within House Bill 2009 - H 5019, An Act Making Appropriations for the Support of the State for Fiscal Year Ending June 30, 2009

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

3. Louise R. Phaneuf, Burrillville Town Clerk - request for support of resolution relating to House Bill 2009 - H 5111, An Act Relating to Public Utilities - Excavation Near Underground Utility Facilities - Costs

Barboza/Parella - Voted unanimously to support this resolution and to provide a copy of same to the local General Assembly delegation.

4. Kim A. Casci, East Providence City Clerk - request for support of resolution relating to Articles within House Bill 2009 - H 5019

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

5. Coastal Resources Management Council re notice of intention to change management plans, policies, procedures and regulations

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

6. Town Treasurer Day re Standard & Poor's and Moody's recent bond and note issue ratings

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with thanks to Town Treasurer Day.

Prior to the vote taken, Town Administrator Mederos stated that this correspondence was a testament to the efforts of Town Treasurer Day. She also noted it was extraordinary that the Town's bond rating should be raised in a bad economic climate and that this new was "something to celebrate."

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. Town Treasurer Day - Revenue and Expenditure Statement, February 19, 2009

P. PROCLAMATIONS & CITATIONS

1. Citation - First Sergeant Jeffrey Andrade, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

2. Citation - Sergeant Edward Guadalupe, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

3. Citation - Specialist Nicholas Costa, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

4. Citation - Specialist Garion Illum, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

5. Citation - Specialist Aaron Poisson, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

6. Citation - Specialist Justin Valenzuela, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation as prepared and presented.

7. Citation - Private First Class Joshua Almeida, service during Operation Iraqi Freedom

Barboza/Cordeiro - Voted unanimously to adopt this Citation 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. Braver - Town Financial Statement year ending June 2008
2. Borrowing Resolutions re \$2,000,000 General Obligation Bond Anticipation Notes and \$12,210,000 General Obligation Bonds (signed copy)
3. Warrant - Amy M. Marino, Personnel Board
4. Anna M. Stetson, Providence City Clerk to Patrick C. Lynch, Attorney General re filing of notices on Secretary of State's website pursuant to Open Meetings Act
5. Warrant - David E. Barboza, Mount Hope Farm - Board of Trustees
6. Warrant - Arlene McAuley, Substance Abuse Prevention Task Force
7. Council Clerk Cirillo to Thomas M. Carroll, Chairman, Republican Town Committee re Bristol County Water Authority appointment
8. Council Clerk Cirillo to John E. Faria, Chairman, Democratic Town Committee re Bristol County Water Authority appointment
9. Warrant - Donna Lynn Darmody, Substance Abuse Prevention Task Force
10. Warrant - Steven Narcovich, Substance Abuse Prevention Task Force
11. Warrant - Michael J. Cabral, Personnel Board
12. Zone Change (granted January 28, 2009) re Andrew Tyska, Managing Member, Rholenty, LLC for 381 Metacom Avenue
13. Town Clerk/Council Clerk Cirillo to Ian Y. Morrison, Bristol County Water Authority re thank you for service

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

14. Warrant - Jane F. Howlett, First Associate Municipal Court Judge
15. Town Clerk/Council Clerk Cirillo to Mark A. Sales, Municipal Court Judge re thank you for service
16. Town Solicitor Ursillo to Luly E. Massaro, Commission Clerk, RI Public Utilities Commission re request to reopen Docket No. 3999 (Qualifying Facilities Power Purchase Rate) for the purpose of increasing the number of eligible municipal energy accounts
17. Town Clerk/Council Clerk Cirillo to Sen. David E. Bates, et al re Governor's proposed budget articles
18. Town Clerk/Council Clerk Cirillo to Gov. Donald L. Carcieri re proposed budget articles and distribution of Collaboration Study
19. Council Clerk Cirillo to Principal Planner Tanner re On-Site Wastewater Management Plan (adopted January 28, 2009)
20. Brian Harrington, Sr. Environmental Scientist, CRMC re Cease and Desist Order for alterations at Plat 174, Lot 123, 25 Courageous Circle
21. Town Administrator Mederos to J. David Smith, Executive Director, Emergency Management Agency re appointment of Fire Chief Robert Martin as Emergency Management Director
22. Council Clerk Cirillo to (June Speakman) Barrington Town Council President re Collaboration Study
23. Town Administrator Mederos to Samuel Kinder, Kinder & Brother, Inc., 315 Hope Street re award of bid 669 - Fall Tree Pruning
24. Council Clerk Cirillo to Anne Wolff Lawson, Program Administrator, Roger Williams University, MPA Program & Institute for Public Policy re Collaboration Study

25. Council Clerk Cirillo to David Frerichs, President, Warren Town Council re Collaboration Study
26. Council Clerk Cirillo to Diana Campbell, Voices for Bristol re Collaboration Study
27. Town Clerk Cirillo to Henry Sousa re thank you for calendars
28. Warrant - Scott D. Marino, Auxiliary Harbor Master
29. Michael Tikoian, Chairman, Coastal Resources Management Council to Director of Parks and Recreation Burke re approved funding for Silver Creek Salt Marsh Restoration project

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

Prior to the vote taken, Councilman Barboza brought this particular matter to the attention of the Council.

30. Town Treasurer Day to Town Administrator Mederos re Collection Agency; 1999 motor vehicle tax accounts

*It is hereby noted for the record that this matter was considered along with agenda items J2 and J3.*

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

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

1. Coastal Resources Management Council - Semi-Monthly Meeting, January 27, 2009 (amended agenda)
2. Harbor Commission - February 2, 2009
3. Board of Tax (Assessment) Review - February 4, 2009 (postponed from January 28, 2009)
4. Historic District Commission - February 5, 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

5. Conservation Commission - January 28, 2009
6. Planning Board - February 10, 2009
7. Economic Development Committee - February 5, 2009
8. Planning Board/Technical Review Committee - February 17, 2009
9. Bristol Warren Regional School Committee/BWEA Contract Negotiation Subcommittee - January 29, 2009
10. Coastal Resources Management Council - February 2009 Calendar
11. Bristol County Water Authority/Board of Directors - February 11, 2009
12. Bristol County Water Authority/Public Relations/Personnel Committee - February 4, 2009
13. Bristol County Water Authority/Engineering Committee - February 4, 2009
14. Bristol County Water Authority/Audit Finance Committee - February 4, 2009
15. Bristol Warren Regional School District - Schedule of Meetings, Week of February 2, 2009
16. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - February 2, 2009
17. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - February 2, 2009 (revised meeting time)
18. Bristol Warren Regional School Committee/BWEA Contract Negotiation Subcommittee - February 3, 2009
19. Bristol Warren Regional School Committee - Special Meeting, February 2, 2009
20. Recreation Board - Meeting Schedule for 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 25, 2009**

21. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - February 10,  
2009
22. Bristol Warren Regional School Committee -  
February 9, 2009
23. Bristol Warren Regional School District -  
Schedule of Meetings, Week of February 9,  
2009
24. Recreation Board - January 20, 2009
25. Bristol County Water Authority - March 2009  
Meetings
26. Bristol Warren Regional School District -  
Schedule of Meetings, Week of February 16,  
2009
27. Bristol Warren Regional School Committee/BWEA  
Contract Negotiation Subcommittee - February  
19, 2009
28. Bristol Warren Regional School Committee -  
Meeting with Administrators and Local  
Legislators, February 16, 2009
29. Bristol County Water Authority/Board of  
Directors - Special Meeting, February 18,  
2009
30. North and East Burial Ground(s) Commission -  
February 23, 2009
31. Bristol County Water Authority - March 2009  
Meetings
32. Bristol Warren Regional School Committee  
Personnel/Contract Subcommittee - February  
23, 2009
33. Bristol Warren Regional School District -  
Schedule of Meetings, Week of February 23,  
2009
34. Bristol Warren Regional School Committee -  
February 23, 2009

S. TOWN SOLICITOR

1. Town Solicitor Ursillo re request for Executive Session pursuant to RIGL Sec. 42-46-5 (a) (1) & (5)

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

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

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. LNG - Council Chairman Marshall recommended that citizens let their opinions be heard in the matter of Weaver's Cove Energy.

b. Thanks to Davis and Roth - Council Chairman Marshall thanked Messrs. Mike Davis and Steven Roth for their filming of this evening's meeting.

2. CORDEIRO

a. Shaw's Lane - Councilman Cordeiro asked Police Chief Canario to investigate illegal parking in the vicinity of Shaw's Lane and Wood Street.

3. PARELLA

4. BARBOZA

a. Cigarette Butts - Councilman Barboza noted that the area of Wood Street between Congregational and Bradford Streets was littered with cigarette butts.

Town Administrator Mederos stated that she would suggest to the operators of establishments in the area that they might install proper containers for this purpose.

5. HERRESHOFF

a. Budget Sessions - Councilman Herreshoff noted the upcoming budget sessions and encouraged citizen participation in the process. He further noted his goal to maintain services while not increasing taxes.

b. LNG - Councilman Herreshoff stated that he believed that the current plan for LNG in Mount Hope Bay was more onerous than the previous plan.

c. Leaf Vacuum - Councilman Herreshoff noted the use of a new style of leaf removal equipment in his recent travels. He agreed to provide information to Town Administrator Mederos regarding same.

d. Financial Crisis - Councilman Herreshoff noted the current financial crisis and informed those present of the need to emphasize local patriotism. He suggested that the budgets for flags and patriotic signs should be maintained.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Budget Session March 23 - Town Administrator Mederos informed the Council that she and Town Treasurer Day will not be able to attend the budget workshop scheduled for March 23. She, with the Council in agreement, suggested that the recap session planned for that evening should be continued to March 24.

----

**CITIZENS PUBLIC FORUM**

----

Barboza/Parella - Voted unanimously to resume open session and to seal the minutes of the Executive Session at 10:14 o'clock PM.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 10:15 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk

DRAFT