

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

PRESENT: Marshall, Cordeiro, Parella, Barboza, and 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, April 22, 2009 in the Town Hall, Council Chambers beginning at 7:02 o'clock PM, Council Chairman Marshall presiding.

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall announced that since it was Earth Day he planned to conclude the meeting before 9:00 o'clock PM in order to save energy.

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall informed those present of the Council's intention to present a special commendation to James Annis, a Bristol resident who is a patrolman with the Providence Police Department. Council Chairman Marshall asked Councilman Barboza to read the commendation as follows:

*State of Rhode Island and Providence Plantations  
Town of Bristol  
Commendation  
awarded to*

*City of Providence Patrolman James Annis in  
consideration of his heroic action on February 22, 2009.*

*As the Town Administrator and Town Council of the Town of Bristol, we represent all Bristolians in recognizing this extraordinary deed, resulting in the rescuing of a kidnapping victim and leading to the surrender of her dangerous assailant. Your exceptional reaction to this grave situation is indisputable confirmation of the dedication you bring to your chosen profession. This commendation particularly considers your obvious humility in view of the media attention you received; downplaying your actions as 'just doing your job.'*

*As the duly elected representatives of all of your fellow citizens of Bristol, we individually and collectively express both our pride and appreciation in consideration of your dauntless action; and send our heartfelt congratulations to you, your family, and associates, and also to all of the men and women who*

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

*continue to provide second-to-none emergency response in our State and our most appreciative community.*

*In Witness Whereof, we have hereunto set our hand and affixed the Seal of the Town of Bristol, Rhode Island on adoption this 22nd day of April, A.D. 2009.*

/s/ Diane C. Mederos, Town Administrator  
/s/ Kenneth A. Marshall, Chairman  
/s/ Raymond Cordeiro, Vice Chairman  
/s/ Mary A. Parella, Councilwoman  
/s/ David E. Barboza, Councilman  
/s/ Halsey C. Herreshoff, Councilman  
Attest: /s/ Louis P. Cirillo, CMC, Town Clerk

Patrolman Annis thanked the Administrator and Council for their recognition and also thanked his mentors, his father Sgt. James Annis, former Chief of Police Col. Russell S. Serpa, and Police Chief Canario.

Barboza/Parella - Voted unanimously to add a matter of urgency to the agenda concerning a pending Senate Bill.

Barboza/Parella - Voted unanimously to instruct the Clerk to send e-mail correspondence to the Senate Corporations Committee in support of Senate Bill S-0107 as soon as it is practicable.

Prior to the vote taken, Councilman Barboza noted correspondence from Lindsay Green of 73 Union Street concerning General Assembly Senate Bill S-0107 that would provide homeowners the authority over where gas utility meters would be placed on their property. Councilman Barboza explained that the bill, to be voted by Senate Committee as early as tomorrow would restore rights to homeowners versus the utility company. He asked that this item might be added to the agenda.

Councilman Barboza noted that Ms. Green recommends that those interested parties should send correspondence to the Senate Corporations Committee. He also noted that the gas utility company expects that unsightly meters should be located directly in front of houses and businesses when the company

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

uses electronic means to read meters making their location immaterial to the reading process.

Councilwoman Parella called the gas utility's practice as "appalling" and noted that this issue is particularly important when considering the location of meters within historic districts and areas where the screening of meters is not possible.

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

Cordeiro/Barboza - Voted unanimously to approve the Consent Agenda withholding items R8 and R11 for further discussion.

**A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)**

1. Town Council Meeting - April 1, 2009

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

2. Town Council Budget Workshop - March 25, 2009

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

3. Town Council Budget Workshop - April 2, 2009

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

4. Town Council Budget Workshop - April 13, 2009

Herreshoff/Cordeiro - 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. Bristol Warren Regional School Committee -  
December 8, 2008

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

2. Bristol Warren Regional School Committee -  
December 15, 2008
3. Bristol Warren Regional School Committee -  
January 12, 2009
4. Bristol Warren Regional School Committee -  
January 26, 2009
5. Bristol Warren Regional School Committee -  
February 2, 2009
6. Bristol Warren Regional School Committee -  
February 9, 2009
7. Bristol Warren Regional School Committee -  
February 23, 2009
8. Bristol Warren Regional School Committee -  
March 9, 2009
9. Board of (Fire) Engineers - March 30, 2009
10. Historic District Commission - March 5, 2009
11. Zoning Board of Review - March 2, 2009
12. Bristol County Water Authority/Board of  
Directors - March 11, 2009
13. Bristol County Water Authority/Audit Finance  
Committee - April 1, 2009
14. Bristol County Water Authority/Engineering  
Committee - April 1, 2009
15. Bristol County Water Authority/Public  
Relations/Personnel Committee - April 1, 2009
16. Bristol Housing Authority - March 12, 2009
17. Harbor Commission - April 6, 2009
18. Conservation Commission - November 19, 2008
19. Conservation Commission - December 17, 2008
20. Conservation Commission - January 28, 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

21. Conservation Commission - February 25, 2009

**B. OLD BUSINESS**

1. Councilwoman Parella re Opportunities for Tri-Town Collaboration Report, May 1992, **continued from March 11, 2009**

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

Prior to the vote taken, the Clerk reported that he was in communication with representatives from Roger Williams University Graduate School of Public Administration who informed him that they have identified a suitable candidate for this project. The Clerk noted that the school officials will be pre-interviewing the candidate and that he or she will be meeting with Councilwoman Parella at a later date.

The Clerk and Councilwoman Parella agreed to bring this matter back to the Council for further consideration as information becomes available.

2. Councilman Herreshoff re Public Works suggestions (High Street Speed Bumps), **continued from April 1, 2009**

Cordeiro/Barboza - Voted unanimously to continue this matter until the meeting of September 16, 2009.

Prior to the vote taken, a discussion ensued regarding the possible removal of the speed bumps with Councilman Herreshoff noting that the removal was recommended by the Fire Chief, since the closure of the schools due to the likelihood of damage to fire apparatus crossing the speed bumps. He asked for additional comments from the Fire and Police Chiefs with Police Chief Canario making the observation that there appears to be no practical need for the speed bumps since the schools have closed.

Councilwoman Parella stated that she was concerned that the speed bumps might be removed with the future use of the Reynolds School yet unknown. She further noted that one of the believed future uses for the building was a charter school and the students in this school may require the safety provided by the existing speed bumps.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

Councilman Barboza stated that he was concerned also about the future use and that he was aware of a draft report concerning future school use and was "baffled" to learn that future plans for school house expansion do not include using the John Post Reynolds School. Councilman Barboza stated that the School Department should "smarten-up" to realize that the construction of a new school in the near future was not practical and to disregard the potential use of the Reynolds building was "fiscal irresponsibility."

Councilwoman Parella reminded the Council that the community made its wishes "abundantly clear" that it did not want to build a new elementary school and that the Council "stuck its neck out" facing the difficult decision to raze the Pastime Theatre in consideration of same. Councilwoman Parella also stated that the position of the Committee toward a new building study was "really unfortunate."

Council members also expressed concern that the School Committee is considering raising the issue of transporting elementary school students across town borders this being forbidden by the enabling legislation of the School District. Councilwoman Parella stated that although the transport may be acceptable for certain students residing near the town borders, the School Committee may seek the authority to transport students regardless of the location of their residence.

Councilman Herreshoff stated that he was pleased that the architecturally pleasing Colt and Andrews memorial buildings were renovated since the upended plan for a new school would have resulted in an "ugly cinderblock" structure.

Councilman Barboza stated that he was contemplating a special meeting of the Regional Joint Finance Committee to address this matter.

Councilwoman Parella stated that the report under consideration appeared premature since it is purported to have used only current school population data. She suggested that a qualified authority might be asked to prepare a report on school population for 5, 10, 15 and 20 years hence.

Council Chairman Marshall speculated that the financial situation will preclude the construction of a new school with Councilman Cordeiro noting that citizens should bring their concerns regarding this matter to the elected School Committee members.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

3. Louis daSilva, 113 Union Street - request for handicap parking space at residence, 2<sup>nd</sup> reading for adoption

Barboza/Cordeiro - Voted unanimously to consider this action to be the second reading for adoption of the request for a handicap parking space. Inform the Public Works Department.

4. James V. Doherty, 106 Bradford Street - request for handicap parking space at residence, 2<sup>nd</sup> reading for adoption

Herreshoff/Cordeiro - Voted unanimously to consider this action to be the second reading for adoption of the request for a handicap parking space. Inform the Public Works Department.

5. Kathleen Viera Beaudoin, Portsmouth Town Clerk re support of resolution opposing House Bill 2009 - H 5122, an act turning the jurisdiction of Rhode Island's bridges over to the Rhode Island Department of Transportation rather than the Turnpike and Bridge Authority, **continued from April 1, 2009**

- a. Rep. Raymond E. Gallison, Jr. re support of H5122 and H5400

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

6. Police Chief Canario re Old Ferry Road parking proposal scheduled for review by the State Traffic Commission on May 19, 2009

**Late Item**

- a. Robert Rocchio, P.E., Secretary, State Traffic Commission to Sergeant Brian C. Burke re State Traffic Commission meeting concerning parking on Old Ferry Road scheduled for May 13, 2009 at 10 o'clock AM

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

Herreshoff/Cordeiro - Voted unanimously to receive and place this matter on file and to anticipate a report from Police Chief Canario on the outcome of the meeting with the State Traffic Commission.

Prior to the vote taken, Councilman Cordeiro asked Police Chief Canario if he planned to attend the meeting of May 13, 2009 with Police Chief Canario responding affirmatively.

7. Assistant Town Solicitor Teitz re steps necessary for expansion of local Historic District

Barboza/Cordeiro - Voted unanimously to refer this matter to Town Administrator Mederos, Director of Community Development Williamson, the Historic District Commission for the necessary due diligence and Town Solicitor Ursillo to draft the appropriate ordinance and to continue said matter until the meeting of May 13, 2009.

Prior to the vote taken, Councilman Herreshoff asked to know if all of the steps outlined by Assistant Solicitor Teitz would apply in the case of an expansion of the Historic District with Town Solicitor Ursillo responding that the Council would essentially have to seek advisory opinions and enact an appropriate ordinance.

Councilman Herreshoff asked to know if it would be practicable for the Council to consider an ordinance during the month of June with Director of Community Development Williamson stating that this would be a possibility.

Councilman Barboza reminded those present that the Council is considering an expansion of the Historic District along Hope Street to Poppasquash Road.

It was noted that the area in question would include the "oldest house" with Council members generally in agreement that this structure should be considered for inclusion in the District.

8. Gerry Turbeville, CDBG Program Manager re Block Grant for FY 2009

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

- a. Community Development Block Grant projects and programs
- b. Resolution re authorization for Town Administrator Mederos to file CDBG application

Herreshoff/Barboza - Voted unanimously to approve the plan and to authorize the Resolution as prepared and presented.

Prior to the vote taken, Council Chairman Marshall asked to know if the Economic Development Corp. component could include operating costs with Ms. Turbeville responding that the request would likely not be approved. Council Chairman Marshall also stated that he was concerned about the priority given the Mount Hope Enterprise Zone with Ms. Turbeville responding that the priority for the Zone was second only to those related solely to the "neighborhood;" these being first priority and could not practically be separated. Ms. Turbeville also reminded the Council that the Town will receive "points" for a well-structured application.

9. BVFD Emergency Dialer program appropriation (carried forward from Budget Session)

Barboza/Cordeiro - Voted unanimously to instruct the Clerk to obtain a report regarding any unresolved issues from Human Services Director Carusi and to receive and place this matter on file.

Prior to the vote taken, the Clerk reported that there appeared to be some confusion regarding the current needs of the dialer program. He suggested that he might contact Human Services Director Carusi and report back to the Council should additional funds be required to support a waiting list.

Council Chairman Marshall reminded those present that the Town participates in this program that essentially allows elderly and infirmed individuals to remain in their homes with the added safety of easily accessible emergency services through an automatic telephone dialer. He encouraged anyone needing this service to contact Human Services Director Carusi.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

Responding to questions posed by the Council Fire Chief Martin noted that several hundred citizens are now served by this program.

10. Francisco daSilva, 101 Mt. Hope Avenue - request for No Parking Sign at entrance to field by 101 Mt. Hope Avenue, **continued from April 1, 2009**

- a. Recommendation - Town Administrator and Director of Public Works

Cordeiro/Herreshoff - Voted unanimously to refer this matter to the Town Administrator so that she might act in the best interest of the Town.

Prior to the vote taken, Town Administrator Mederos noted that the problem as noted by Mr. daSilva could likely be resolved administratively without further Council action.

**BB. SPECIAL /STATUS REPORTS**

1. Mount Hope Enterprise Zone Council - Summary of Accomplishments, March 2009

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

**C. PUBLIC HEARINGS**

1. Copley Operating Group, LLC, Irving Levine, d/b/a Ricc's Ristorante, 200 Gooding Avenue to Prince Investment Group, LLC, John DeCristofaro, d/b/a Ricc's North End Trattoria, 200 Gooding Avenue - request for transfer of BV Intoxicating Beverage License

- a. Recommendation - Town Administrator and Police Chief
- b. Recommendation - Department of Water Pollution Control

**Late Item**

- c. Diane V. Pinelli, Credit Manager, McLaughlin & Moran, Inc. re objection to

transfer of BV Intoxicating Beverage License

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

Herreshoff/Cordeiro - Voted unanimously to approve the license based upon the recommendations received and subject to conformance to all laws, ordinances, and restrictions imposed upon the former proprietor, and payment of all fees, levies and taxes and subject to the release of all objections.

Prior to the vote taken, Council Chairman Marshall opened the Public Hearing and asked to hear from those speaking in favor of the transfer.

Peter Collias, an attorney representing the transferee thanked the Council for its consideration of this transfer. He introduced the prospective proprietors and noted that the gentlemen were present in order to answer any questions.

There was no further testimony presented in favor of the petition nor was there any remonstrance presented in opposition.

The Council considered the matter of Docket number G2 at this time; the results of this consideration are reflected in the minutes below.

D. ORDINANCES

1. Ordinance #2009-04, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places (removal of Fifteen (15) minute parking space on the corner of Bradford and Wood Streets), **1st reading**

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the first reading of Ordinance #2009-04. 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 April, 2009

- Late Item**
- a. Tax Assessor Spagnolo - Recommended Abatements and Additions for April, 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. Joyce Bryant, 67 Collins Street - interest/appointment
    2. Diana Campbell, 40 Seal Island Road - interest/appointment
    3. William H. Rizzini, 16 Harbor View Avenue - interest/appointment
    4. Barbara H. Healy, 10 Dolly Drive - interest/appointment
    5. Harold E. Tucker, 10 Noyes Avenue - interest/appointment
    6. Gregory Raposa, 145 Franklin Street, #2 - interest/appointment
    7. John Francis IV, 636 Metacom Avenue - interest/appointment
    8. Antonio Teixeira, 21 Cottage Street - interest/appointment
    9. Edward J. Correia, 46 Varnum Avenue - interest/appointment
    10. Joseph F. Parella, 1 Cedar Drive - interest/appointment

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

11. Michael A. DeMello, 856 Hope Street  
- interest/appointment
12. Thomas G. Breslin, M.D., 7 Dana  
Road - interest/appointment

Herreshoff/Cordeiro - Voted  
unanimously to continue this matter  
until the meeting of May 13, adding  
the name of Fausto C. Anguilla of 55  
Peck Avenue to the list of  
candidates.

Prior to the vote taken, the Clerk informed the Council of a  
late-received application from Fausto C. Anguilla of 55 Peck  
Avenue.

Councilman Herreshoff reminded the Council of the importance  
of this Commission and suggested that the selection process  
should be completed with great care.

Councilwoman Parella expressed concern that the Council  
should endeavor to make its appointments prior to the  
absolute deadline as noted earlier in the Clerk's memorandum  
on the timeline.

Council Chairman Marshall instructed the Clerk to keep the  
list of candidates on the Council's Docket at each meeting  
until the appointments are made.

b. Recreation Board - Auxiliary Member  
(term to expire February, 2012)

1. Crystal Pacheco, 7 Evelyn Drive -  
interest/appointment

Councilman Cordeiro nominated Ms. Pacheco for appointment.

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

c. Conservation Commission (2) (to fill  
vacancy terms to expire December, 2011)

1. John Stafford, 89 Kickemuit Avenue  
- interest/appointment

Councilman Cordeiro nominated Mr. Stafford for appointment.

Cordeiro/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Stafford, to fill the unexpired term to expire in December, 2011.

d. Historic District Commission

1. Edward S. Cifune, 270 Wood Street - resignation

**Late Item**

2. David S.R. Andreozzi, 38 Highland Road - interest/appointment

Cordeiro/Herreshoff - Voted unanimously to accept the resignation of Mr. Cifune with regret and to instruct the Clerk to send a letter of thanks for service.

Councilman Cordeiro nominated Mr. Andreozzi for appointment to fill the unexpired term of Mr. Cifune.

Cordeiro/Herreshoff - Voted to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Andreozzi, to serve the duration of the unexpired term. Voting in favor of this motion were Councilmen Marshall, Cordeiro and Herreshoff. Voting opposed were Councilwoman Parella and Councilman Barboza.

Prior to the vote taken, Councilman Cordeiro stated that he was pleased to learn that Mr. Andreozzi had applied for the position since he was both a former Chairman of the Commission and a practicing architect; both of these credentials being lost to the Commission through the resignation of Mr. Cifune. He further stated that the needed expertise of a former Chairman and architect would be replaced through the appointment of Mr. Andreozzi.

Both Councilwoman Parella and Councilman Barboza stated that although they had no objection to the candidacy and qualifications of Mr. Andreozzi they each acknowledged concern that the "process" of the appointment appeared to

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

lack both due-diligence and also the generally accepted practice of elevating alternate members prior to the consideration of new applicants.

Councilman Cordeiro stated that although he generally agreed that alternate members should be given priority consideration, he was concerned that the Commission was losing the expertise of an architect and that this loss would be immediately resolved through the appointment of Mr. Andreozzi.

The prevailing Councilmen collectively noted that they did not have any issues with the current alternate member but rather wished to replace Mr. Cifune's particular expertise as soon as possible.

**G. LICENSING BOARD - NEW PETITIONS**

1. Copley Operating Group, LLC, Irving Levine, d/b/a Ricc's Ristorante, 200 Gooding Avenue to Prince Investment Group, LLC, John DeCristofaro, d/b/a Ricc's North End Trattoria, 200 Gooding Avenue - request for transfer of BV Intoxicating Beverage License (See item C1 also)

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

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

2. John DeCristofaro, d/b/a Ricc's North End Trattoria, 200 Gooding Avenue - request for Victualling License
  - a. Recommendation - Town Administrator and Police Chief
  - b. Recommendation - Department of Water Pollution Control

**Late Item**

Parella/Cordeiro - 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.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

*It is hereby noted for the record that this matter was resolved immediately after agenda item C1.*

3. Marie Mauricio for St. Elizabeth's Church/Holy Ghost, 577 Wood Street - request for One-Day Dancing and Entertainment License, May 29-31, 2009

- a. Recommendation - Town Administrator and Police Chief

Barboza/Herreshoff - 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.

4. Sandy Almeida for St. Elizabeth's Church/Holy Trinity, 577 Wood Street - request for One-Day Dancing and Entertainment License, June 5-7, 2009

- a. Recommendation - Town Administrator and Police Chief

Barboza/Cordeiro - 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.

H. LICENSING BOARD - RENEWALS

1. Dog Kennel License Renewals for 2009-2010

- a. Recommendation - Town Administrator and Police Chief

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

(CA) I. UTILITY PETITIONS

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

1. Sewer Permit - WPCF

J. PETITIONS - OTHER

1. Roger Alves, 4<sup>th</sup> of July Committee - request to use the Town Common Tennis Courts for a fundraising event on June 20 & 21, 2009

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

Cordeiro/Barboza - Voted unanimously to grant this petition based upon the recommendations and conditions stipulated.

2. Richard J. Goulart, 4 Goulart Avenue - request for No Parking in front of residence

Barboza/Herreshoff - Voted unanimously to refer this matter to Police Chief Canario and Town Administrator Mederos and to continue same until the meeting of May 13, 2009.

Prior to the vote taken, Mr. Goulart addressed the Council and informed its honorable body that the influx of college student residents in the area has resulted in a proliferation of automobiles on Goulart Avenue.

Mr. Goulart stated that the walkways in front of his home are generally obstructed by these automobiles and make his property inaccessible for visitors, etc.

Mr. Goulart stated that neighborhood homes that previously housed persons having four automobiles now housed persons having approximately twenty (20) automobiles.

Mr. Goulart also reported that some persons parking automobiles on the street repeatedly leave behind beer bottles and cans. He explained that most of his visitors must park their automobiles on Mt. Hope Avenue since there are no spaces available and that the entire situation represents a "mess."

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

Councilwoman Parella stated that she understood Mr. Goulart's problem and further stated that it was "ridiculous" that the neighbor landlord would allow so many residents.

3. G. Eben Milne, Esquire for Michael A. DiScuillo, 45 Russell Avenue, East Providence re claim for personal injuries

Herreshoff/Barboza - Voted unanimously to refer this matter to the Interlocal Trust and Town Solicitor Ursillo.

4. Sandra McGovern-Dugan, 27 Harbor View Avenue re claim for automobile damage

Barboza/Cordeiro - Voted unanimously to refer this matter to the Interlocal Trust.

5. Alfred R. Rego, Jr., Esquire for MD 607 Metacom Avenue LLC, 700 Narragansett Park Drive, Pawtucket - request for zone change of 607 Metacom Avenue, Plat 98, Lot 18 from M (Manufacturing) to GB (General Business)

Barboza/Herreshoff - Voted unanimously to refer this matter to Director of Community Development Williamson, the Planning Board and Zoning Board of Review for evaluation and recommendations.

Prior to the vote taken, Attorney Alfred R. Rego informed the Council that he was aware that the various boards must present recommendations regarding this matter prior to Council action and that he was here to ask the honorable body to refer the matter as required.

Responding to questions posed by various Council members, Mr. Rego stated that his client expects to use the premises for the purpose of a hairdressing establishment and that the approvals would likely require both in-and-out curb cuts onto Metacom Avenue - one way in and one way out.

Mr. Rego also reported that the owners of the Stop and Shop plaza - the only abutters - appear to be unwilling to grant access to the subject property through the existing parking lots and roadways.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

Director of Community Development Williamson informed the Council that this submission has not yet been submitted to her office and that she was unaware of a plan to develop/redevelop the property. Director of Community Development Williamson explained that the Town's review process would have to be followed in this case as in any other development case with Mr. Rego in agreement.

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

1. Town Administrator Mederos re emergency declaration due to erosion at the Landfill

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

Prior to the vote taken, Town Administrator Mederos reported that this situation was necessitated since some of the compacted areas eroded. She noted that none of the refuse was exposed but rather only the top layer of covering soil was affected. Town Administrator Mederos stated that the Town may have to budget for this type of situation in the future.

2. Warren Rensehausen, President, King Philip Little League re invitation to Opening Day Ceremonies, April 25, 2009

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

3. Louise R. Phaneuf, Burrillville Town Clerk - request for support re opposition to House Bill 2009 - H5123 - An Act Relating to Property - Mortgage Foreclosure and Sale

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

4. Michael P. Lewis, Director, Department of Transportation re notice of funding availability for roadway improvements through the Roadway Investment Local Equity Aid Program

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

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

Prior to the vote taken, Councilman Herreshoff asked to know if it was possible to receive more than \$150,000 for this purpose with Town Administrator Mederos reporting that the Town is seeking approximately \$600,000 for this purpose.

Council Chairman Marshall asked to know if the Town might ask the State for funds to replace those Town funds used to improve State roads and sidewalks.

Councilman Barboza noted the State's "pledge" to improve the Hope Street sidewalks.

L. BILLS & EXPENDITURES

1. Bid #677 - Audit Services for the year ending June 30, 2009 (with option for 2010 and 2011)

**Late Item**

- a. Town Treasurer Day re Selection of Auditor

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

Prior to the vote taken, the Clerk read the bid received as follows:

Lefkowitz, Garfinkel, Champi & DeRienzo P.C. of Prov., RI

2009 - \$31,400.00  
2010 - \$34,300.00  
2011 - \$37,400.00

2. Council Clerk Cirillo re Code Supplements

Barboza/Herreshoff - Voted unanimously to approve the transfer as recommended by the Clerk.

3. Dyan S. Vaughan, Grant Consultant, 190 High Street - invoice for services re Mt. Hope High School Homebuilding Project

Cordeiro/Herreshoff - Voted unanimously to approve this invoice

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

payable from the Council's "Grant Procurement" line item.

(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, April 15, 2009

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Silver Star Banner Day 2009

Cordeiro/Barboza - Voted unanimously to approve this Proclamation as prepared and presented and to instruct the Clerk to forward a copy of same to the Silver Star Banner Association.

(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. Warrant - Raymond C. Falcoa, Police Pension Fund - Board of Trustees
2. Warrant - Anthony D. Murgo, Planning Board
3. Warrant - Edward P. Stuart, Jr., Alternate Member to Zoning Board of Review
4. Warrant - Bruce I. Kogan, Zoning Board of Review
5. Class F Intoxicating Beverage License - St. Elizabeth's Church/Holy Ghost, 577 Wood Street, May 29-31, 2009
6. Class F Intoxicating Beverage License - St. Elizabeth's Church/Holy Trinity, 577 Wood Street, June 5-7, 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

7. Warrant - David P. Raposa, Alternate Member to Zoning Board of Review
8. Arbor Day Foundation re Bristol named Tree City USA

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

Prior to the vote taken, Councilman Barboza noted that the Town of Bristol has been named "Tree City USA" for eight years running.

9. Terrence Mercer, Associate Administrator, Division of Public Utilities and Carriers re notice of hearing concerning Prudence Ferry, Inc.
10. Special Olympics Winners Circle Certificate of Membership
11. Council Clerk Cirillo re Police Union Representative nominee to serve on the Police Pension Fund - Board of Trustees

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

Prior to the vote taken, Councilman Cordeiro stated that he was aware of a good candidate for appointment to this board with the Clerk informing the Council that the Police Union has presented their candidate for the Council's approval and that the matter of the appointments to this board will be on the Council agenda of May 13, 2009.

12. W. Michael Sullivan, Director, Department of Environmental Management re approved appointment of Samuel C. Kinder as Official Tree Warden
13. Lawrence Fisher, Executive Director, Herreshoff Marine Museum re parking restrictions concerning Hog Island residents
14. Town Administrator Mederos to Samuel Kinder, Kinder & Brother, Inc. re award of Bid #673 - Spring 2009 Tree Planting

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

15. Town Administrator Mederos to Richard Sumner, SumCo Eco-Contracting, LLC re award of Bid #672 - Silver Creek Salt Marsh Restoration & Walkover
16. Town Administrator Mederos to Eric Uliano, Colonial Automotive Group re award of Bid #675 - Two (2) 2009 Chevrolet Tahoe Special Service Vehicles
17. James D. Marques, CMC, North Kingstown Town Clerk re support of repeal of the Caruolo Act
18. Town Administrator Mederos to Keith Jackson, Greenwood Emergency Vehicles re award of Bid #674 - Type I, 2009 Medium Duty Emergency Medical Rescue Vehicle
19. Arlene D. Petit, Jamestown Town Clerk - Resolution opposing House Bill 2009 - H 5122 re Rhode Island Turnpike and Bridge Authority
20. Town Administrator Mederos to DaPonte's Landscaping Services, Inc. re award of Bid #671 - Care and Maintenance of Grounds
21. Resolution re support of Legislative Amendments to Protect Rhode Island Cities and Towns and their Public Officials/Employees
22. Council Clerk Cirillo to Sen. David E. Bates, et al re pending Election Legislation
23. Council Clerk Cirillo to Sen. David E. Bates, et al re continued support of Senate Bill 0061 - An Act Relating to Taxation - Local Property Assessment
24. Town Administrator Mederos to Michael St. Angelo, East Coast Masonry & Restoration, Inc. re award of Re-Bid #668 - Phase I Repairs to the Bristol Naval Reserve Armory

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

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

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

1. Bristol County Water Authority/Board of Directors - April 7, 2009
2. Bristol County Water Authority/Public Relations/Personnel Committee - April 1, 2009
3. Bristol County Water Authority/Audit Finance Committee - April 1, 2009
4. Bristol County Water Authority/Engineering Committee - April 1, 2009
5. Coastal Resources Management Council - April 2009 Calendar
6. Harbor Commission - April 6, 2009
7. Bristol Warren Regional School District - Schedule of Meetings, Week of April 6, 2009
8. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - April 6, 2009
9. Personnel Board - April 14, 2009
10. Bristol County Water Authority - May 2009 Meetings
11. Bristol Warren Regional School Committee - April 13, 2009
12. Bristol Warren Regional School District - Schedule of Meetings, Week of April 13, 2009
13. Coastal Resources Management Council - Semi-Monthly Meeting, April 7, 2009
14. Coastal Resources Management Council - notice of re-scheduling of public hearing re intention to change management plans, policies, procedures and regulations to April 7, 2009
15. Bristol County Water Authority - (Revised) May 2009 Meetings
16. Bristol Warren Regional School Committee - Special Meeting, April 22, 2009

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

17. Bristol Warren Regional School District -  
Schedule of Meetings, Week of April 20, 2009
18. Harbor Commission - Appeals Hearing, April  
21, 2009

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Thank You Mike Davis - Council Chairman  
Marshall thanked Mr. Davis for filming this evening's meeting.

b. U.S. Census - Council Chairman Marshall noted correspondence from the US Census Bureau informing local officials that Census-takers will be visiting Bristol residences in the near future.

Councilman Barboza explained that the Census-takers have already visited his street and that the information provided to the Census-takers is considered to be confidential.

c. Cemetery Drain Line - Council Chairman Marshall asked Town Administrator Mederos to determine if the repairs to the Cemetery drainage line might be considered applicable for emergency flooding funds. Town Administrator Mederos agreed to raise this issue with the State authorities.

2. CORDEIRO

a. State Street Dock Retaining Wall - Councilman Cordeiro noted some deterioration to one or more of the retaining walls at the State Street Dock. He expressed concern that this situation might present a hazard. Town Administrator Mederos agreed to investigate same.

b. Business Listing - Councilman Cordeiro stated that he would like the matter of the business listing to be revisited. He suggested that the cost of a local business license might be minimal perhaps \$1 per year or less.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009**

c. Sherry Avenue Runoff - Councilman Cordeiro expressed concern regarding the drainage runoff emanating from Sherry Avenue.

3. PARELLA

4. BARBOZA

Happy Birthday Mr. Barboza - Councilman Barboza extended the Council's birthday wishes to his father - David Barboza, Sr.

5. HERRESHOFF

a. Bristol Garden Club - Councilman Herreshoff noted the good work of the Bristol Garden Club at the Rogers Free Library. He asked that the Council might send a letter of thanks with the Clerk agreeing to do so. The Clerk also noted that a recommendation will be forthcoming from Recreation Director Burke concerning recognizing the Garden Club for its work at Mrs. Perry's Garden at Thomas Park.

b. Town Property Corner of Wood and Hope Streets - Councilman Herreshoff suggested that some of the brush might be cleared at the lot at the corner of Wood and Hope Streets prior to the leafing-out of the trees.

c. Boy Scout Breakfast - Councilman Herreshoff noted an upcoming breakfast and invited the Town's citizens to attend so that they might become aware of and future supporters of Boy Scouting in Rhode Island. Councilman Herreshoff stated that the breakfast will be provided free of charge and that many of the local Eagle Scouts will be present to acquaint the potential donors with their programs.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Public Health Drill - Town Administrator Mederos noted an upcoming public health drill to take place on Saturday, April 25, 2009, sponsored by the Bristol Fire and Rescue Department. She encouraged the public to participate.

----

**CITIZENS PUBLIC FORUM**

TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 22, 2009

-----

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Herreshoff and voted unanimously, the Chairman declared this meeting to be adjourned at 8:50 o'clock PM.

---

Louis P. Cirillo, CMC  
Council Clerk