

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

PRESENT: Marshall, Cordeiro, Barboza, and Herreshoff

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

ABSENT: Parella

The Council met in regular session on Wednesday evening, June 3, 2009 in the Town Hall, Council Chambers beginning at 7:10 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall noted the passing of Salvatore P. Parella, late of Bristol and father of Councilwoman Parella and former Town Administrator Joseph F. Parella. The assemblage observed a moment of silence in memory of Mr. Parella.

Council Chairman Marshall noted the upcoming Bristol Boat Show to be held on June 6 and June 7 at Independence Park and encouraged those present to attend this show.

Council Chairman Marshall also noted the following special recognition items and asked that these be added to the agenda:

Barboza/Cordeiro - Voted
unanimously to add the following
late items to the agenda:

Late Item Add Special Recognition - Mt. Hope High School
"Huskies", Boys' Varsity Spring Lacrosse

Council Chairman Marshall recited a roll call of those participating in this year's Mt. Hope High School championship lacrosse team:

Nathan Avedissian
Jonathan Teixeira
Nilton Alves
Aaron Booth
Tyler Carreiro
James Olson
Karsten Moritz
Christopher Dugan
Alan Williams
Nicholas Salzano
Anthony Marabello
Alex Copeland

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Spencer Dennis
William E. Sullivan
Dylan Micheletti
Tyler Murgo
James McCallum III
Ryan Kuehl
Jon Belmore
Gian DiMezza
Michael Popham
Nicholas Motta
Richard A. Marshall
Austin Carreiro
Benjamin Choquette
Scott MacGovern
Christopher R. Ferreira
William DeRiso
Theo Moskala
Michael Cordeiro
Colin Donahue

Council Chairman Marshall also recognized Head Coach Scot Clark and Assistant Coach Michael Williams.

Late Item Add Special Recognition - Mt. Hope High School Science Program re Amgen Rhode Island Science and Engineering Fair 2009

Council Chairman Marshall presented Certificates of achievement to the following:

Marissa Simeone
Neale Ross
Christina Fontana
Kim Hoffman
Amy Moreira
Corey Silvia
Erin Aparicio
Marcia King

Council Chairman Marshall also noted that Town employees voluntarily agreed to payroll concessions due to the Town's loss of State revenue sharing. Council Chairman Marshall congratulated the employees and also Town Administrator Mederos and the various department heads. He also stated that the Council appreciates the hard work of all Town employees.

Councilman Cordeiro noted the recent 4th of July Cultural Evening held last week at Linden Place and indicated that he enjoyed the program.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Barboza - Voted
unanimously to approve the consent
agenda withholding items R7 and
R10a for further discussion.

Prior to the vote taken, Council Chairman Marshall suggested
that items R7 and R10a might be withheld.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - May 13, 2009

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

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

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

1. Harbor Commission - May 4, 2009
2. Historic District Commission - April 2, 2009
3. Planning Board - April 21, 2009
4. Redevelopment Agency - March 26, 2009
5. Bristol Fire Department Rescue/Training
Headquarters Capital Project Committee -
April 9, 2009
6. Bristol Housing Authority - April 21, 2009
7. Bristol Fire Department (Rescue/Training
Headquarters) Capital Project Committee -
April 23, 2009
8. Bristol County Water Authority - Annual
Meeting, May 28, 2009
9. Bristol County Water Authority/Board of
Directors - April 7, 2009

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

10. Bristol County Water Authority/Audit Finance Committee - May 6, 2009
11. Bristol County Water Authority/Engineering Committee - May 6, 2009
12. Bristol County Water Authority/Public Relations/Personnel Committee - May 6, 2009

B. OLD BUSINESS

1. Ronald Krupinski, 22 Lafayette Drive - request for appeal re denial of claim for automobile damage, **continued from May 13, 2009**

Barboza/Cordeiro - Voted
unanimously to reimburse Mr.
Krupinski for 50% of his claim.

Prior to the vote taken, Councilman Barboza asked to know if Mr. Krupinski submitted a claim to his insurance carrier with Mr. Krupinski responding that he was of the opinion that this claim would not be paid by an insurance company.

Councilman Barboza stated that Mr. Krupinski's story was "compelling" and that he was of the opinion that the Town might reimburse Mr. Krupinski for one-half of his claimed expense as a "compromise."

Town Solicitor Ursillo stated that this compromise would not be inappropriate since the claim is for approximately \$600 and the State cap for such claims is \$300.

Mr. Krupinski stated that he was in agreement with the proposal of Councilman Barboza.

2. Anne D. Ricci, 5 Francine Street - claim for automobile damage, **continued from May 13, 2009**

Barboza/Cordeiro - Voted
unanimously to reimburse Ms. Ricci
for 50% of her claim.

Prior to the vote taken, Ms. Ricci stated that this was her second claim having made one last year and that claim was denied. She further stated she did not appeal last year's

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

denial with Councilman Barboza informing Ms. Ricci that the Council did not wish to consider the matter retroactively.

Councilman Herreshoff asked to know if the Town plans to repave the area in question with Public Works Director Serbst and Town Administrator Mederos explaining that the Town plans to repave the area as part of the capital improvements being made with the Federal stimulus funds.

Councilman Herreshoff asked to know if the area was exceptionally wet with Public Works Director Serbst responding that the area did have some drainage issues these resulting in an undermining of the road bed and the subsequent pot-holes.

Mr. Krupinski stated that he was of the opinion that the area adjacent to the fire station was the worst section of the road.

Public Works Director Serbst stated that the fire station construction work is addressing some of the drainage problems observed.

Council Chairman Marshall suggested that the Town might consider installing drainage lines in Annawamscutt Drive toward Mt. Hope Bay prior to the repaving with Councilman Herreshoff in agreement stating that he was of the opinion that the road should be engineered rather than simply repaved.

Public Works Director Serbst noted that the side streets along the northerly side of Annawamscutt Drive pitch toward Leahy Pond.

Council Chairman Marshall suggested that the road plan might include gullies to catch rain water with Mr. Krupinski observing that Annawamscutt Drive resembles an ice rink during the winter time.

3. Edward P. Mara, Ed.D., Superintendent, Bristol Warren Regional School District - request for resolution supporting proposed amendments to Article VII, Type of District of the Enabling Legislation created in 1991,
continued from May 13, 2009

Cordeiro/Herreshoff - Voted
unanimously to request that
Councilman Barboza, as Chairman of
the Bristol Warren Regional Joint

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Finance Committee, arrange for quarterly meetings of said Committee beginning in mid July.

Prior to the vote taken, Councilman Herreshoff informed those present that he has received comments that "parents hate this idea." He also explained that he found this situation to be perplexing in light of the fact that the newly renovated Colt and Andrews School buildings were opened less than one year ago.

Councilman Herreshoff added that he was of the opinion that keeping elementary school-aged children in their respective towns was a "better policy."

Council Chairman Marshall noted that the Joint Finance Committee had discussed the possibility of having quarterly meetings with the School Committee and administration. He suggested that Councilman Barboza might arrange to have a meeting to discuss this and other related matters.

Councilman Barboza agreed to arrange this meeting and reminded those present that a meeting of the task force to study student population was planned for June 23. Councilman Barboza also explained that there was "plenty of time" to discuss the matter of changing the enabling legislation since this matter must be presented before the voters for approval at an election.

4. Town Treasurer Day - request for termination of lighting agreement between the Town and Roger Williams University, **continued from May 13, 2009**

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

Prior to the vote taken, Town Administrator Mederos reported that she was working on this matter along with Peter Wilbur of Roger Williams University and agreed to report back to the Council once the matter was resolved.

5. Councilman Cordeiro re consideration of a permanent marker at State Street Wharf to honor fishermen lost at sea

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Prior to the vote taken, Councilman Cordeiro stated that he was working with the State Street Dock Committee and Recreation Director Burke regarding this monument and will report back to the Council once a plan is in place.

6. Kristen Swanberg, President, East Bay Tourism Council re request for resolution supporting the merging of Bristol County with the Newport County Convention and Visitors Bureau to improve tourism

Late Item

- a. (Draft) Resolution re support for new tourism initiative

Herreshoff/Barboza - Voted unanimously to adopt this resolution and to provide same to the members of the General Assembly of the associated City and Towns.

Prior to the vote taken, Councilman Barboza expressed concern that some of the members of the General Assembly have reservations regarding this proposal. He suggested that the Council might consider a continuance based upon these concerns.

Ms. Swanberg informed the Council that the topic had been a subject for discussion before several tourism related bodies locally and that all appeared to be in agreement that the proposed merger was a good idea.

Ms. Swanberg further informed the Council that the East Bay bed tax is approximately \$75,000 and that this amount is what supports the East Bay Tourism Council.

Evan Smith, President of the Newport County Convention and Visitor's Bureau explained that conversely, the Newport County bed tax is approximately \$2.3 million; thus providing a great deal more for promoting the region.

Mr. Smith stated the partnership should bring more value to Bristol versus the current smaller tourist region and budget.

A further discussion ensued with Mr. Smith reporting that the Council was certainly welcome to take more time for its due diligence with Council Chairman Marshall asking if there was a time restriction.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Mr. Smith responded that the matter is currently before the General Assembly and that the deadline for adjournment was approaching. He cautioned the Council that a delay in its approval of the matter may force the Assembly to consider the matter next year.

Councilman Barboza asked to know if Warren and Barrington had responded to the request for a resolution with a discussion ensuing comparing the relative tourist business for each community.

Councilman Herreshoff asked Mr. Smith to describe his promotion program with Mr. Smith responding that the Visitor's Bureau has an extensive website, distributes approximately \$350,000 in print media and employs eighteen (18) persons toward the promotion of the County.

Mr. Smith informed the Council that he plans to adapt his Bureau's print media and website to include the Bristol County attractions.

Lloyd Adams, representing various Bristol business interests, informed the Council that both the Bristol Downtown Merchants and the Bristol Museum Association were in support of this merger.

Town Administrator Mederos also reported that she was well informed that this merger would be appositive move and that she did not see a "down side" to the proposal. Town Administrator Mederos also informed the Council that the East Bay Chamber of Commerce was in support of the merger.

Councilman Herreshoff stated that he was inclined to support the merger with Councilman Barboza reminding the Council of the reported concern of certain General Assembly members. He suggested that Representative Gallison might be contacted concerning the matter.

James W. Farley, representing several local tourism interests informed the Council that the measure was a "no brainer" and would definitely provide advantages for the Town's tourism interests. Mr. Farley expressed concern that should the Council delay the measure and not present its approval it may "place the Town further behind the eight-ball."

Mr. Farley stated that the measure would further support the already existing Bristol-Newport Heritage Corridor and that the Newport Convention and Visitor's Bureau has agreed to have Bristol County representatives on is governing board.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Mr. Farley informed the Council that the merger would only help the Town's efforts to promote tourism. After the vote taken, Councilman Barboza explained that his support of the motion was based upon Mr. Farley's "most eloquent presentation."

7. Councilman Herreshoff - request for removal of No Parking sign across from Roberto's Restaurant, 301 Hope Street, **continued from May 13, 2009**

- a. Robert Rocchio, P.E., Secretary, State Traffic Commission to Council Clerk Cirillo re approval to rescind no parking north of 300 Hope Street

Herreshoff/Cordeiro - Voted unanimously to approve the parking area as proposed.

BB. SPECIAL /STATUS REPORTS

- Late Item Add** 1. Mount Hope Enterprise Zone Council - Summary of Accomplishments, May 2009

Barboza/Herreshoff - Voted unanimously to add this item to the agenda per the request of Council Chairman Marshall.

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

Prior to the vote taken, Councilman Cordeiro credited Mr. Crisman with obtaining a small business loan for Jamiel's Shoe World in Warren.

Council members thanked Mr. Crisman for supplying his monthly report.

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2009-05, CHAPTER 22, Sewers and Sewage Disposal, Article IV, Private Wastewater Disposal, Division 2, Onsite

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Wastewater Management, Sections 22-130 through 22-141, **2nd reading for adoption**

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-05. Advertise in local newspaper.

2. Ordinance #2009-06, CHAPTER 2, Administration, Article V, Finance, Division 1, Generally, Section 2-176, Balanced Budget, **2nd reading for adoption**

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-06. Advertise in local newspaper.

3. Ordinance #2009-02 (Amended), CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Sections 16-143 and 16-146, (Old Ferry Road), **2nd reading for adoption (continued from May 13, 2009)**

- a. Robert Rocchio, P.E., Secretary, State Traffic Commission to Police Chief Canario re approval to allow parking on portion of Old Ferry Road

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-02 as amended. Advertise in local newspaper.

4. Ordinance #2009-07, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times (Goulart Avenue), **1st reading**

Cordeiro/Barboza - Voted unanimously to consider this action to constitute the First Reading of

Ordinance #2009-07. Advertise in local newspaper.

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for June, 2009

(CA) F. APPOINTMENTS

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

1. Public Service Appointments
 - a. Charter Review Commission (9), **continued from May 13, 2009**
 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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

10. Joseph F. Parella, 1 Cedar Drive - interest/appointment
11. Michael A. DeMello, 856 Hope Street - interest/appointment
12. Thomas G. Breslin, M.D., 7 Dana Road - interest/appointment
13. Fausto Anguilla, 55 Peck Avenue - interest/appointment
14. Gerald Walsh, 33 Byfield Street - interest/appointment

Barboza/Herreshoff - Voted unanimously to continue this matter until the meeting of June 24, 2009 and to accept no additional applications.

Prior to the vote taken, the Clerk suggested that the Council might wish to delay action on this item since it was of great interest to Councilwoman Parella and in deference to her.

Council Chairman Marshall recalled that the last day for making the appointments would be the regular meeting of July 15, 2009 thus leaving the Council the opportunity to delay its action for an additional meeting without a negative result.

(CA) 2. Public Service Appointments for July

G. LICENSING BOARD - NEW PETITIONS

1. Travis A. Dewire, d/b/a Organically Good LLC, 267 Thames Street - request for a Victualling License
 - a. Recommendation - Water Pollution Control Facility

Late Item

- b. Recommendation - Town Administrator and Police Chief

Barboza/Cordeiro - Voted unanimously to grant this license based upon the recommendations received and subject to conformance

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

to all laws and ordinances and
subject to payment of all fees,
taxes and levies.

2. Travis A. Dewire, d/b/a Organically Good LLC,
267 Thames Street - request for a Holiday
Sales License

Late Item

- 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
subject to payment of all fees,
taxes and levies.

H. LICENSING BOARD - RENEWALS

1. Sidewalk Use License Renewals for 2009-2010

- a. Recommendation - Code Compliance
Coordinator

Late Item

- b. 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
subject to payment of all fees,
taxes and levies.

(CA) I. UTILITY PETITIONS

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

1. Road Cut Permits - DPW

J. PETITIONS - OTHER

1. Theresa L. Sousa, Orson and Brusini Ltd,
Counselors at Law, 325 Angell Street,

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Providence for Aileen Kornetsky re claim for personal injuries

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

2. Helga Piccoli, Treasurer, Bristol Art Museum - request to hold "Art al Fresco" show on the fences of Linden Place and the Bradford-Dimond-Norris House, July 26, 2009 (rain date August 2, 2009)

Late Item

- a. Recommendation - Town Administrator and Police Chief

Barboza/Cordeiro - Voted unanimously to grant this petition; referring the request for a no parking area to the Town Administrator.

3. Travis A. Dewire, d/b/a Organically Good LLC, 267 Thames Street - request to install a sign over Town sidewalk

Barboza/Cordeiro - Voted unanimously to grant this petition provided that the petitioner maintains the requisite amount of liability insurance; naming the Town as additional insured.

Prior to the vote taken, it was noted for the record that the petitioner must also obtain a building permit and approval from the Historic District Commission.

4. C. Lynne Turnbull, d/b/a 195 Franklin, 195 Franklin Street - request to hold Farmer's market in parking area on Saturdays from 9:00 AM - 1:00 PM

Barboza/Herreshoff - Voted unanimously to grant this petition for a period of forty-five (45) days as a trial period and to continue this matter until the meeting of July 15, 2009.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Prior to the vote taken, Councilman Cordeiro expressed concern that the area was quite congested and that adequate parking for a farmer's market might not be available.

A discussion of the petitioner's request ensued with the Council in agreement to allow for a modest trial period; expecting that the Police Department might monitor the situation and make a further recommendation prior to the July Council Meeting.

5. Dom Franco, Chairman, Harbor Commission - request for approval to proceed with concept plan re State Street Ramp

- a. Recommendation - Director of Community Development

Barboza/Cordeiro - Voted unanimously to approve this idea conceptually and for preliminary work in order to develop budgets and refine plans.

Prior to the vote taken, a discussion ensued regarding the overall cost of the project with Councilman Herreshoff expressing concern that the Town's budget did not have funds for the project.

It was also noted that there may be issues relating to the abutting property owner and that these issues should be resolved prior to the Town's commitment to proceed with any capital improvements. It was suggested that the abutting property issues might be examined by Town Solicitor Ursillo.

Several Council members suggested that the Town might attempt to secure grant funding for capital improvements. The Clerk reminded the Council that it has maintained a policy not to accept any grant funds for the State Street dock and ramp if these grants would change the Town's ultimate control over the use of the property.

Council Chairman Marshall stated that the purpose of the concept plan was to assure that the Town would examine the issues relating to project thoroughly.

6. Manuel and Margarita Metz, 13 Vantage Point Drive - request for a License to Maintain Town Property, **call for public hearing**

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Barboza/Cordeiro - Voted unanimously to hold a public hearing concerning this license to maintain Town property on Wednesday evening, June 24, 2009 beginning at 7:00 o'clock PM. Advertise in local newspaper (the cost of this advertising to be borne by the petitioner).

7. Michael Ferreira, d/b/a Gillary's Tavern, 198 Thames Street - request for expansion of BV Intoxicating Beverage License to allow for service of alcohol in driveway area on July 3, 2009, 7:00 PM - 1:00 AM

Barboza/Herreshoff - Voted unanimously to consider this petition and call for a public hearing regarding same on Wednesday evening, June 24, 2009 beginning at 7:00 o'clock PM.

Prior to the vote taken, Police Chief Canario stated that he was of the opinion that this expansion of premises may be manageable and that he recommend that the petition be granted.

Town Solicitor Ursillo informed the Council that the granting of this petition would constitute an expansion of premises and that the approval process would include a public hearing and notification to abutters per the Alcoholic Beverages statute.

Mr. Ferreira, the petitioner, informed the Council that he did not plan to have a band performing out of doors but rather that his customers typically wait in long lines on the sidewalk on July 3rd. He also informed the Council that many of the customers waiting in line never enter his establishment since its size cannot accommodate the quantity of persons in the queue.

Mr. Ferreira also informed the Council that he was not available to attend the public hearing on June 24, 2009 due to a schedule conflict but will rather send an authorized representative.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

1. Jodi P. LaCroix, CMC, Charlestown Town Clerk to Sen. Sheldon Whitehouse, et al - request for support of resolution concerning U.S. Supreme Court decision re Carcieri v. Salazar

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

2. Coastal Resources Management Council and Department of Environmental Management - Joint Public Notice re consideration of application by Department of Environmental Management to reconstruct an existing boat ramp at Mt. Hope Fishing Access/Annawamscutt Drive (request for hearing by June 15, 2009)
 - a. Coastal Resources Management Council and Department of Environmental Management - (Amended) Joint Public Notice re consideration of application by Department of Environmental Management to reconstruct an existing boat ramp at Mt. Hope Fishing Access/Annawamscutt Drive (request for hearing by June 18, 2009)

Barboza/Cordeiro - Voted
unanimously to instruct the Clerk
to send a letter of support for the
project on behalf of the Council.

3. Coastal Resources Management Council - Public Hearing re notice of intention to change management plans, policies, procedures and regulations, June 23, 2009

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

4. Director of Community Development Williamson - request for Executive Session pursuant to RIGL Sec. 42-46-5(a) (2) (5)

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

5. Councilman Cordeiro re Town Beach Parking Permits

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Barboza/Cordeiro - Voted
unanimously to schedule a Special
Meeting of the Council concerning
this matter for Wednesday evening,
June 10, 2009, beginning at 7:00
o'clock PM.

Prior to the vote taken, Councilman Cordeiro informed those present that he asked for this item to be placed on the Council's docket due to the request of "frustrated" citizens.

Councilman Cordeiro also stated that he was of the opinion that there should be a special meeting of the Council to discuss and resolve this matter and that it should be mandatory for all members of the Recreation Board to be in attendance at said meeting.

Stu Gaskell, representing the Bristol Youth Soccer Association informed the Council that he appreciated the Council's attention to this matter and that he had been discussing same with Recreation Director Burke. Mr. Gaskell also stated that he would be pleased to participate in a future special meeting and asked that the Council waive beach fees until the end of his league's season.

Council Chairman Marshall expressed concern that the soccer league was not specifically informed of the Recreation Board's intention to enforce the long-standing rule regarding beach fees.

Mr. Gaskell informed the Council that he was unaware that the Recreation Board would change its beach fee policy until he was in attendance at the Board's last meeting. Mr. Gaskell also informed the Council that this information was made available to him as late as the meeting of May 12 and that there was considerable "discord" regarding same.

Mr. Gaskell, again, asked that the fees be waived until the end of the soccer season with Recreation Director Burke informing the Council that he was concerned that such an action might not be fair since seventy-five (75) beach passes have been sold to date and that those purchasing these might ask to have their \$10 returned. Mr. Burke also informed the Council that he has received more good reports than complaints regarding the Recreation Board's decision to impose the fees. He also noted that the new easterly parking lot was available to motorists without beach passes free of charge.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Councilman Cordeiro expressed concern that elderly persons might not be able to walk the distance from the new parking lot to the soccer fields with Recreation Director Burke informing the Council that those who wish to do so may drop-off their children and/or passengers nearby the soccer fields without paying a fee and park elsewhere in one of the non-fee controlled parking lots.

Recreation Director Burke informed the Council that he was opposed to a fee waiver.

Mr. Gaskell informed the Council that he was not aware that this drop-off option was available despite many conversations with Recreation Director Burke regarding this matter.

Edward Quinn, Chairman of the Recreation Board, informed the Council that he was in favor of the Board's fee policy since there was parking provided nearby free of charge. He also noted that the free lots appear to be well-used.

6. Department of Environmental Management - Public Hearing re RI Draft Storm water Design and Installation Standards Manual, June 4, 2009

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

- Late Item Add**
7. John F. Healy (Bristol Highlands Improvement Association) to James C. Dollins, Bristol Harbor Commission re Gibson Road Right of Way

Herreshoff/Barboza - Voted
unanimously to add this item to the
agenda.

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

Prior to the vote taken, Council Chairman Marshall noted the above correspondence and asked to know if the matter was being addressed with Director of Community Development Williamson reporting that she was of the opinion that the erosion did not have a simple fix and that she was in

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

contact with the Town's engineering consultant regarding this matter.

Director of Community Development Williamson also informed the Council that she provided information regarding same to Public Works Director Serbst.

Recreation Director Burke informed the Council that he was having Fred Constancia complete repairs to the noted areas.

Councilman Cordeiro asked that the trees along the Gibson Road right of way might be trimmed with Director of Community Development Williamson reporting that she will investigate the matter.

Late Item Add 8. Domenic Franco, Chairman, Bristol Harbor Commission to Grover Fugate, Coastal Resources Management Council re meeting notice concerning the application of Gunter Hafer for a residential boating facility at 333 Poppasquash Road

Barboza/Cordeiro - Voted
unanimously to add this item to the agenda.

Herreshoff/Cordeiro - Voted
unanimously to refer this matter to the Town Administrator.

Prior to the votes taken, Council Chairman Marshall noted that he asked that this item should be added to the agenda since the Harbor Commission expressed "serious concerns" regarding same.

A general discussion ensued regarding this matter referring same to the Town Administrator with the Council's "concern" about the size of the proposed dock, its potential for disturbing a shell fishing area, and also the potential for disrupting the water quality of the dock vicinity. Town Administrator Mederos agreed to follow up on the subject.

L. BILLS & EXPENDITURES

1. Bid #678 - Summer Fun Busing Program

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

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

First Student of Warren, RI - \$203.50 per bus, per day for camp runs and \$71.50 per hour, per bus for field trips.

Recreation Director Burke expressed concern that the bid amount was \$3000 higher than the estimate received from the vendor prior to the bid submission. Recreation Director Burke also stated that the budget may be sufficient for this expenditure since there is no busing on rain dates.

Councilman Herreshoff suggested that the bid might be rejected and that the Town should perhaps negotiate with the bus company.

(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, May 29, 2009

P. PROCLAMATIONS & CITATIONS

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

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

1. Town Administrator Mederos to Lefkowitz, Garfinkel, Champi & DeRienzo, P.C., Providence re award of Bid #677 - Audit Services for the Year Ending June 30, 2009 (with option for 2010 and 2011)
2. Resolution re Bristol Fourth of July Celebration - 2009 (signed copy)
3. Resolutions re the securing of loan funds (signed copy)
4. Amended and Restated Borrowing Resolutions (signed copy)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

5. Warrant - Crystal Pacheco, Auxiliary Member to Recreation Board
6. Council Clerk Cirillo to (U.S. Department of Justice) re support of Bristol Police Department's application for the Edward Byrne Memorial Justice Assistance Grant
7. Kara Kelly Milner, Chairperson, Kickemuit Education Foundation to Town Clerk Cirillo re thank you for participation in KEF's 1st Annual Bodacious Bee

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

Prior to the vote taken, Council Chairman Marshall congratulated Town Administrator Mederos, Councilman Cordeiro and the Clerk upon their success at the spelling bee; finishing in the semi-final round.

8. Louise R. Phaneuf, Burrillville Town Clerk re support in opposition to House Bill 2009 - H5123, An Act Relating to Property - Mortgage Foreclosure and Sale
9. Town Clerk/Council Clerk Cirillo to Herb Moitoso, President, Bristol 4th of July Chief Marshal's Association re establishment of an American Revolution monument at Independence Park
10. Town Clerk/Council Clerk Cirillo to Roy J. Nirschel, Ph.D., President, Roger Williams University re Liquefied Natural Gas Proposal for Mount Hope Bay
 - a. Jerome F. Williams, Senior Vice President, Finance and Administration, Roger Williams University to Town Clerk/Council Clerk Cirillo re efforts concerning opposition to LNG proposal

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

11. Town Clerk/Council Clerk Cirillo to Sen. Jack Reed, et al re Liquefied Natural Gas Proposal for Mount Hope Bay
12. Warrant - Raymond J. Dutelle, Police Pension Fund - Board of Trustees
13. (Harbor Master) re Dock and Mooring Waiting Lists, posted May 21, 2009
14. Town Clerk/Council Clerk Cirillo to Rep. Steven Constantino re H5983 - Article 4, Subsection (c), An Act Relating to Municipal Elections
15. Town Clerk/Council Clerk Cirillo to Peter Greenberg (Travel Editor, NBC's Today Show) re article naming the Top 25 Cities & Towns with the Best American Values
16. Town Administrator Mederos and Council Clerk Cirillo to Gov. Donald L. Carcieri re support of the International Yacht Restoration School's application for funding
17. Town Administrator Mederos and Council Clerk Cirillo to Gail Theriault, Office of Economic Recovery re support of the International Yacht Restoration School's application for funding
18. Town Administrator Mederos and Council Clerk Cirillo to Jean E. McKeever, Associate Administrator for Business and Workforce Development re support of Outerlimits Offshore Powerboats' application for funding through U.S. Maritime Administration Office of Shipyards and Marine Engineering's Small Shipyards Grant Program
19. Town Administrator Mederos and Council Clerk Cirillo to Jean E. McKeever, Associate Administrator for Business and Workforce Development re support of Goetz Custom Technologies' Small Shipyards Grant Program application

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

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

1. Bristol Warren Regional School Committee Budget/Facilities Subcommittee Meeting - May 19, 2009
 2. Bristol Warren Regional School District - Schedule of Meetings, Week of May 18, 2009
 3. Coastal Resources Management Council - (Amended) May 2009 Calendar
 4. Bristol Warren Regional School Committee - May 26, 2009
 5. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - May 26, 2009
 6. Bristol Warren Regional School District - Schedule of Meetings, Week of May 25, 2009
 7. Bristol County Water Authority - June 2009 Meetings
 8. Bristol Warren Regional School District - Schedule of Meetings, Week of June 1, 2009
 9. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - June 1, 2009
- S. TOWN SOLICITOR
- Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS
1. MARSHALL
 - a. Parella Condolences - Council Chairman Marshall expressed his sympathies to Councilwoman Parella and her family upon the passing of Salvatore Parella.
 - b. Mike Davis - Council Chairman Marshall thanked Mr. Davis for filming this evening's meeting.
 2. CORDEIRO

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

a. Parella Condolences - Councilman Cordeiro also expressed his sympathies upon the passing of Mr. Parella noting that Salvatore Parella was a "nice man and a true gentleman."

b. Leahy Pond - Councilman Cordeiro expressed concern that certain neighbors may be infringing upon the public property surrounding Leahy Pond with Town Administrator Mederos agreeing to investigate same.

3. PARELLA

4. BARBOZA

a. Parella Condolences - Councilman Barboza also expressed his condolences upon the passing of Salvatore Parella.

b. Harbor Boat Show and Art Exhibit - Councilman Barboza reminded those present concerning the upcoming boat and art shows.

c. Firefighters' Sunday - Councilman Barboza invited those present to attend the various activities planned for Firefighters to be held on June 14, 2009.

5. HERRESHOFF

a. Annawamscutt Parking - Councilman Herreshoff expressed concern that there might be a plan to modify the parking arrangements on Annawamscutt Drive to allow for diagonal parking. Town Administrator Mederos informed the Council that she was unaware of any such plan.

b. Tent Condemnation - Councilman Herreshoff expressed concern that the fire marshal was condemning privately owned tents that were only six (6) years old. He also noted that the life-expectancy of a tent is ten (10) years. Councilman Herreshoff stated that he planned to address this matter with Fire Chief Martin and that the Town should apply its actions uniformly concerning same.

c. Plat Maps - Councilman Herreshoff asked if a review/updating of the plat maps was pending with Director of Community Development Williamson

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

explaining that the new GIS mapping system will include plat maps and overlays of utilities, etc.

Director of Community Development Williamson also stated that Planner Tanner and Tax Assessor Spagnolo were working on this project.

Councilman Herreshoff expressed concern that many of the existing plat maps were incorrect and he asked to have a memorandum regarding the condition of the plat maps provided to the Council.

Tax Assessor Spagnolo reported that the maps were revised in the 1990s and have been "continually updated since" that time.

Tax Assessor Spagnolo also reported that the mapping system is in "conflict" with the pricing system utilized.

Councilman Herreshoff again asked that the Council receive a memorandum regarding the condition of the maps and any plans for future improvement of same.

Tax Assessor Spagnolo stated that there were approximately twenty-five (25) maps to review and that her office is doing what Councilman Herreshoff is requesting concerning the update of the maps.

d. Parella Condolences - Councilman Herreshoff expressed his condolences to the Parella family; describing the late Mr. Parella as a true Bristolian and "particularly cheery and inspirational."

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

Barboza/Cordeiro - Voted
unanimously to adjourn into
Executive Session pursuant to RIGL

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 3, 2009

Sec. 42-46-5 (a) (2) and (5) at
9:40 o'clock PM.

Barboza/Herreshoff - Voted
unanimously to resume open session
and 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 Councilman Herreshoff and voted
unanimously the Chairman declared this meeting to be
adjourned at 10:15 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk