

PRESENT: Marshall, Cordeiro, Parella, Barboza, & Herreshoff
(arrived at 7:25 o'clock PM)

ALSO PRESENT: Diane C. Mederos, Town Administrator (arrived
at 7:18 o'clock PM)

Michael A. Ursillo, Town Solicitor
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening,
September 16, 2009 in the Town Hall, Council Chambers
beginning at 7:06 o'clock PM, Council Chairman Marshall
presiding:

Prior to the commencement of this evening's regular agenda,
Council Chairman Marshall reported that he was aware of a
letter of interest concerning the Town's opposition to a
Liquefied Natural Gas terminal in Mount Hope Bay. He
suggested that the Council might consider Agenda item R16 at
this time:

Barboza/Cordeiro - Voted
unanimously to bring forward agenda
item R16 for discussion at this
time.

Council Chairman Marshall noted that a letter from LNG
Terminal Siting Standards Organization, now appearing on the
East Bay media outlets "hot off the press" was sent to him
and also to Town Administrator Mederos by Representative
Raymond E. Gallison, Jr. Council Chairman Marshall read the
letter aloud as follows:

To the editor:

*Although the LNG industry in the United States has
enjoyed an enviable safety record in recent decades,
the fact is that Weaver's Cove Energy defies world LNG
industry terminal siting best practices, as promulgated
by the Society of International Gas Tanker and Terminal
Operators (SIGTTO). SIGTTO best practices are ignored
by the U.S. government despite the Coast Guard's
advocacy to abide by other navigation-related best
practices. SIGTTO represents virtually the entire world
LNG industry and is recognized as the world authority
on LNG best practices. Adherence to their best
practices has been integral to the industry's enviable
safety record in recent decades.*

By violating SIGTTO best practices, Weaver's Cove would increase the probability of an LNG incident. If there actually were a need for the project, there are far better locations, away from civilian populations.

Northeast Gateway and Neptune LNG deep water ports, far offshore, are two good examples. The first such offshore project is Gulf Gateway Energy Bridge in the Gulf of Mexico, 116 miles offshore from Louisiana. Gulf Gateway received an entire ship's cargo of LNG during (nearby, but not immediately within) Hurricane Katrina, demonstrating how well that technology weathers storms at sea. If LNG storage is desired, it could be provided aboard LNG vessels or on a floating facility or platform at the deep water port.

What the public is generally not told until well into LNG terminal permitting is that there are federally-defined Hazard Zones that accompany LNG ships (Hazard Zone 1 = 500 meters/one-third mile from ship; Hazard Zone 2 = 1,600 meters/1 mile from ship; Hazard Zone 3 = 3,500 meters/2.2 miles from ship). Those Hazard Zones (FERC euphemistically refers to them as "Zones of Concern") were created by Sandia National Laboratories and are defined as risking human lives and property. That's why Sandia calls them "Hazard Zones."

While an LNG release is unlikely, the loss if such an event were to occur could be heavy, indeed. Yet, such risk can be completely avoided by siting LNG terminals that comply with industry best practices - safely away from civilian populations.

Placing human lives and property at risk from the Weaver's Cove Energy project is entirely unnecessary, and defies the public interest. For an abbreviated list of SIGTTO terminal siting best practices, visit the LNG Terminal Siting Standards Organization web site at www.LNGTSS.org

Robert Godfrey

LNG Terminal Siting Standards Organization

Eastport, Maine

Councilman Barboza noted that the letter of Mr. Godfrey represented "another voice of reason."

Council Chairman Marshall noted that the proposed location of the LNG terminal is unfair in that it essentially seizes ownership of public property for private interests.

Councilman Cordeiro announced that some students from the Mt. Hope High School history class were in attendance at this evening's meeting.

Council Chairman Marshall noted a recent "civil discourse" when the Council and Historic District Commission met to discuss public concerns on September 10, 2009.

Council Chairman Marshall observed that certain stray public comments outside of the meeting were "detrimental to the whole board" and that all members of all boards and commissions should exercise professional and common courtesy. Council Chairman Marshall also suggested that all appointees "should be cognizant of those who sit beside" them.

Council Chairman Marshall also noted a recent news report that U.S. Congressman Michael Capuano, a candidate for United States Senator from Massachusetts and former mayor of Somerville, Massachusetts declared that local government officials deals with more problems daily than a U. S. Senator sees in one year.

Town Administrator Mederos arrived at this point in the meeting (7:18 o'clock PM).

Councilman Barboza noted the presence of Fire Department Battalion Chief James Vieira representing Fire Chief Martin at this evening's meeting. Councilman Barboza also observed that both Chief Martin and his daughter were recovering well from their recent surgical procedures.

Council Chairman Marshall also observed the 40th birthday of Deputy Town Clerk Jennifer Walsh on September 17, 2009.

Council members noted an upcoming "Family Dinner Night" sponsored by local restaurants and the Bristol Substance Abuse Prevention Task Force and explained that attendees will receive free "goodie bags."

Council Chairman Marshall suggested that agenda item D1 might be continued.

Barboza/Cordeiro - Voted
unanimously to continue agenda item

D1 until the meeting of October 7, 2009.

Councilman Herreshoff arrived at this point in the meeting (7:25 o'clock PM).

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Cordeiro - Voted unanimously to approve the Consent Agenda withholding items R3 and R9 for further discussion

At this time Councilman Barboza suggested that the Council might consider combining related agenda items as follows:

B3 and H1 relating to the Lobster Pot Restaurant and K8 and R3 relating to Hope Street improvements.

Barboza/Cordeiro - Voted unanimously to combine the above agenda items as suggested by Councilman Barboza.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - August 26, 2009

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

2. Town Council Executive Session (sealed - Council only) - August 26, 2009

Herreshoff/Cordeiro - Voted unanimously to unseal the minutes of the Executive Session.

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

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

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

1. Substance Abuse Prevention Task Force - August 13, 2008
2. Substance Abuse Prevention Task Force - September 17, 2008
3. Substance Abuse Prevention Task Force - October 20, 2008
4. Substance Abuse Prevention Task Force - November 17, 2008 & December 15, 2008
5. Substance Abuse Prevention Task Force - January 26, 2009
6. Substance Abuse Prevention Task Force - February 23, 2009
7. Substance Abuse Prevention Task Force - March 23, 2009
8. Substance Abuse Prevention Task Force - April 20, 2009
9. Substance Abuse Prevention Task Force - June 15, 2009
10. Mosaico CDC (Board of Directors) - March 20, 2009
11. Mosaico CDC (Board of Directors) - April 24, 2009
12. Mosaico CDC (Board of Directors) - May 22, 2009
13. Mosaico CDC (Board of Directors) - June 26, 2009
14. Mosaico CDC (Board of Directors) - July 24, 2009
15. Historic District Commission - July 9, 2009
16. Historic District Commission - July 20, 2009
17. Building Code Board of Appeals - August 13, 2008

18. Building Code Board of Appeals - November 19, 2008
19. Fire Department Capital Project Committee - July 30, 2009
20. Historic District Commission - August 6, 2009

B. OLD BUSINESS

1. Councilman Herreshoff re Public Works suggestions (High Street speed bumps), **continued from April 22, 2009**

Barboza/Parella - Voted unanimously to refer this matter to the Council's budget deliberations for FY 2010-2011.

Prior to the vote taken, Council Chairman Marshall, with Councilman Herreshoff in agreement observed that no action should be taken on this matter since the use of the buildings nearby is not yet known.

It was suggested that the Council might consider providing the funds to dismantle these speed bumps once the future use of the nearby buildings is resolved and the speed bumps are no longer needed.

2. Alison C. Sweeney, 38 Clipper Way - request for abandonment of a portion of Evelyn Drive, **continued from August 5, 2009**

Cordeiro/Parella - Voted unanimously to continue this matter pending the receipt of the required documents.

3. Jeffrey Hirsch, d/b/a The Lobster Pot, Inc., 119-121 Hope Street - Intoxicating Beverage License review re compliance with State fire regulations, **continued from August 26, 2009**

Barboza/Parella - Voted unanimously to extend this Intoxicating Beverage License for a full-term to expire on December 1, 2009.

Prior to the vote taken, Battalion Chief Vieira reported that he had inspected the premises and that the new alarm system was installed and awaiting some "finishing touches" and final testing. Battalion Chief Vieira further reported that he was satisfied with the progress and recommended that the license should be extended to a full term.

4. Stephen Cornwall, (Rogers Free) Library Capital Project Committee re completion of project, **continued from August 26, 2009**

Herreshoff/Cordeiro - Voted unanimously to continue this matter until the meeting of October 7, 2009.

Prior to the vote taken, Council Chairman Marshall reported that he has been in contact with the Lusi Construction personnel and that the matter of the lighting will be addressed next week with Librarian Prescott and the Library maintenance person. Council Chairman Marshall noted that he would have a further report concerning this matter at the next regular meeting.

5. Councilman Herreshoff re Ferry Road repair, **continued from August 26, 2009**

Herreshoff/Cordeiro - Voted unanimously to continue this matter to the meeting of October 7, 2009 and to anticipate a report from Town Administrator Mederos regarding same.

Prior to the vote taken, Councilman Herreshoff reported that he observed some improvement to the conditions of the road but also observed some "depressions" allowing him to conclude that the road bed may not have been compacted properly.

Town Administrator Mederos noted that the road is slated for curb-to-curb paving and that the paving should not be completed until the matter of the depressions/roadbed is resolved.

Town Administrator Mederos agreed to contact the various authorities and to bring the observations of the Council to the attention of these authorities.

6. Director of Community Development Williamson
- request for authorization of funds to
obtain the services of a consultant re
proposed Animal Shelter project
 - a. Arnold N. Robinson, AICP to Director of
Community Development Williamson re
proposal for Animal Shelter project

Barboza/Herreshoff - Voted
unanimously to approve an amount
not to exceed \$7500 for this
purpose and to authorize Town
Administrator Mederos to sign the
agreement on behalf of the Town.

Prior to the vote taken, Council Chairman Marshall noted the need to have a careful examination of the various aspects of this project so that it will be "shovel ready" once the details are confirmed. Council Chairman Marshall also noted that there were remaining "unanswered questions" with Councilman Herreshoff reporting his opinion that he "thinks well" of Mr. Robinson and that the project to-date was "not well conceived."

Councilman Herreshoff added that he hoped that Mr. Robinson would facilitate a fresh approach to the idea of a new animal shelter; examining the needs of the Town concerning same and to foster a more "practical" project.

Council Chairman Marshall outlined Mr. Robinson's proposal as submitted and agreed that the goal would be to develop a framework for the project and to build consensus among the various parties.

Councilwoman Parella stated that she "had no problem" with Mr. Robinson and was also of the opinion that Mr. Robinson possessed good credentials.

Councilwoman Parella noted, however, that she was concerned that some Council members were of the opinion that the public did not know what they were voting for when the bond issue was approved and that she had a contrary opinion in that the voters were well-informed and the majority of those voting wish for the project to be built.

Council Chairman Marshall agreed that Mr. Robinson was well-qualified and had experience with the building of a new shelter for the Potter League on Aquidneck Island. He also expressed concern that the plans as prepared for the Animal

Shelter proponents were "generic" and that these would need refinement prior to any construction.

Council Chairman Marshall also noted that there would be a need to examine the proposed site for its suitability.

Councilwoman Parella agreed that Mr. Robinson would approach the project well from a "planning perspective" and that she would encourage him to interview citizen "focus groups."

After the vote taken, Councilman Herreshoff stated that the plan to involve Mr. Robinson was "practical" since the Town will likely save money in the long-run if it plans the facility correctly.

7. Board of Canvassers Clerk Cirillo re Master Lever Voting

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

Prior to the vote taken, Councilwoman Parella asked to know which provisions of the proposed resolution were unacceptable to the Board of Canvassers with the Clerk responding that the Board was generally of the opinion that the matter was outside of its purview and also that the members did not agree the resolution assertion that candidates are discouraged from seeking elective office since the State has "master lever" voting.

Councilwoman Parella also expressed concern that former Senator Gibbs will be returning to the Council to secure its support of this measure and that many cities and towns in Rhode Island were in agreement to eliminate the master lever. She further stated that she would be interested to know if the Board of Canvassers had any additional objections to the language of the proposed resolution with the Clerk agreeing to provide these, if any.

Councilman Herreshoff stated that he was informed that there was a growing trend away from master lever voting and that he generally supported the idea to do away with the master lever.

8. Town Treasurer Day re Rescue Headquarters progress report

Herreshoff/Cordeiro - Voted
unanimously to continue this matter

until the meeting of October 7, 2009 and to receive reports concerning same.

Prior to the vote taken, Town Administrator Mederos noted that the Capital Project Committee and Fire Chief Martin suggest that the Council should have a tour of the building.

Council Chairman Marshall noted that he is informed that the building project is on budget and on schedule with Councilman Barboza adding that the fundraising efforts are under way.

Council Chairman Marshall asked Town Administrator Mederos to prepare for the eventuality of the present rescue station to be surplus; noting that the capital plan for the new building considered selling that building in order to offset the cost of the new one.

Councilman Herreshoff agreed that the sale of the present rescue station was part of the rationale for building a new one. He asked to have a written report of the finances of the project.

Councilman Barboza noted that some recent letters appearing in the local media concerning this project contained misinformation and suggested that those persons interested in providing information should concern themselves with accuracy.

BB. SPECIAL /STATUS REPORTS

1. Town Administrator Mederos - Department Head Reports
 - a. Human Services and Welfare - September 10, 2009
 - b. Building Inspection - May 2009
 - c. Building Inspection - June 2009
 - d. Building Inspection - July 2009
 - e. Public Works - May 2009
 - f. Public Works - June 2009
 - g. Public Works - July 2009

- h. Public Works - August 2009
- i. Parks and Recreation - September 1, 2009
- j. Fire and Rescue - September 9, 2009
- k. Police - September 2009
- l. Community Development - June 2009 - September 2009

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

- 2. Tax Assessor Spagnolo re Sales Reports for
April 1, 2009 - June 30, 2009 and July 1,
2009 - July 31, 2009

Barboza/Cordeiro - Voted
unanimously to receive and place
this matter on file with an
expression of gratitude to the Tax
Assessor.

C. PUBLIC HEARINGS

D. ORDINANCES

- 1. Ordinance #2009-13, CHAPTER 10, Environment,
Article II, Noise, Section 10-35, Exceptions
from article provisions, **1st reading**
(continued from August 26, 2009)
 - a. Janice and Joseph Antinucci, et al, Van
Wickle Homeowners Association re support
of proposed ordinance
 - b. Karen Binder, Executive Director, et al,
Blithewold, Inc. re opposition to
proposed ordinance

*It is hereby noted for the record that this agenda item was
continued to the Council meeting of October 7, 2009 the
action so taken as noted above.*

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for September, 2009

(CA) F. APPOINTMENTS

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

1. Public Service Appointments
 - a. Fourth of July Committee
 1. Patricia Squatrito, Corresponding Secretary, Fourth of July Committee re 2009-2010 proposed membership

Barboza/Parella - Voted unanimously to approve the list of members of the Fourth of July Committee for the ensuing term.
 - b. Economic Development Commission
 1. Patricia A. Woods, 133 Poppasquash Road - interest/reappointment
 2. Mark W. Matrone, 79 Aaron Avenue - declining reappointment
 3. Brian W. Clark, 7 Heritage Road - interest/appointment

Councilman Barboza nominated Ms. Woods for re-appointment.

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. Woods, term to expire in September 2012.

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

Barboza/Cordeiro - Voted unanimously to instruct the Clerk to set a convenient time for an interview for Mr. Clark.

c. Substance Abuse Prevention Task Force

1. Ann Marie Roy to Town Administrator Mederos re resignation

Barboza/Parella - Voted unanimously to accept the resignation of Ms. Roy with thanks for service.

d. Dr. June Sager Speakman, Acting Chair, East Bay Energy Consortium re appointment of representatives

1. (Draft) Resolution re appointment of representatives to the East Bay Energy Consortium

Barboza/Herreshoff - Voted unanimously to adopt the resolution as proposed and to empower Director of Community Development Williamson to name a third alternate member should the need arise.

e. Recreation Board (to fill unexpired term to expire February, 2010)

1. Warren Rensehausen, 112 Church Street - interest/appointment

Late Item

- i. Warren Rensehausen, 112 Church Street re resignation

Cordeiro/Parella - Voted unanimously to accept the resignation of Mr. Rensehausen with regret and to instruct the Clerk to send a letter of thanks for service on behalf of the Council.

Late Item

2. William Cain, 109 Constitution Street - interest/appointment

Cordeiro/Parella - Voted unanimously to instruct the Clerk

to set an interview for Mr. Cain at a convenient time for the parties.

Late Item f. Juvenile Hearing Board - Alternate Member (to fill vacancy term to expire December, 2011)

Late Item 1. Emily Spinard, 35 Dartmouth Street - interest/appointment
Cordeiro/Barboza - Voted unanimously to instruct the Clerk to set an interview for Ms. Spinard at a convenient time for the parties.

(CA) 2. Public Service Appointments for October

G. LICENSING BOARD - NEW PETITIONS

1. John E. DelGreco, d/b/a Only A Dollar, 10 Gooding Avenue - request for a Junk and Second Hand Dealer's License, **call for a public hearing October 7, 2009**

Herreshoff/Cordeiro - Voted unanimously to set a public hearing for October 7, 2009 beginning at 7:00 o'clock PM. Advertise in local newspaper.

2. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - request for a Hawkers and Peddlers License

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of October 7, 2009 and to refer same to Town Solicitor Ursillo so that he might review the pertinent Town Ordinance(s).

Prior to the vote taken, Councilman Barboza expressed serious concern that this type of activity may not be compatible with the tenor of the Concerts on the Common series. Councilman Herreshoff explained that the authority regarding such matters insofar as the 4th of July events are concerned, are sometimes delegated to that Committee.

Ms. Hanos, the petitioner, informed the Council that she is licensed to provide food, etc. at the concerts held on public property in Warren and would like to do the same in Bristol.

Ms. Hanos also informed the Council that she was aware of the restrictions as imposed by Town Ordinance and would like to have a "variance" in order to sell food from her cart on the Common and other "municipal areas" during summer months.

Councilman Barboza informed those present that concert-goers will bring picnic baskets to the Concerts on the Common and that he has been involved with the series for some time. He also stated that he did not observe "a great need" for food vendors.

Council Chairman Marshall suggested that the petitioner might "make arrangements" with the various civic committees in order to provide food service at scheduled events.

Town Solicitor Ursillo stated that it might be possible for the committees to grant this approval and agreed to examine the ordinance in order to determine the authority for same.

H. LICENSING BOARD - RENEWALS

1. Jeffrey Hirsch, d/b/a The Lobster Pot, Inc., 119-121 Hope Street - Intoxicating Beverage License review re compliance with State fire regulations, **continued from August 26, 2009** (see item B3 also)

It is hereby noted for the record that this matter was resolved as part of agenda item B3 as recorded above.

(CA) I. UTILITY PETITIONS

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

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Dolores M. Bisbano, 29 Viking Drive - request for No Parking across from driveway

- a. Recommendation - Director of Public Works
- b. Recommendation - Police Chief

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

Prior to the vote taken, Councilman Cordeiro informed those present of Ms. Bisbano's intention to withdraw this petition.

2. Richard I. Abrams, Esquire, for Steven Lynch and Karen Lynch re claim for personal injury

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with a copy provided to the Town Solicitor.

Prior to the vote taken, Councilman Barboza suggested that the Council might receive and file this correspondence since it was already submitted to the Interlocal Trust.

3. Lorraine Capizano, 49 Monterey Drive - request to hold wedding ceremony at Walley Beach, October 10, 2009
 - a. Recommendation - Town Administrator and Director of Parks and Recreation
 - b. Recommendation - Police Chief

Barboza/Cordeiro - Voted unanimously to grant this petition per the recommendations received, provided that the petitioner secures a certificate of insurance indemnifying the Town and also secures the services of a detail police officer.

4. Steven Izbicki, 32 Congregational Street - request for curb cut
 - a. Recommendation - Director of Public Works

Barboza/Cordeiro - Voted
unanimously to grant this petition
per the recommendation received
with all expense being borne by the
petitioner and also to inform the
petitioner that the Council does
not wish to consider a future
petition for a no-parking box in
the vicinity of this curb cut.

5. Amy Coccio, d/b/a New Leaf Hair Studio, 18
State Street - request to hang a projecting
sign over Town property

Cordeiro/Barboza - Voted
unanimously to grant this petition
subject to conformance to all local
laws and ordinances, payment of all
taxes, fees and levies, providing a
certificate of insurance
indemnifying the Town, and also
subject to the approval of all
additional authorities.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Lori Hagen, Second Deputy Providence City
Clerk - request for support of resolution re
Ovarian Cancer Awareness Month
 - a. Cheryl A. Fernstrom, CMC, Exeter Town
Clerk - request for support of
resolution re Ovarian Cancer Awareness
Month
 - b. Anne M. Irons, Narragansett Town Clerk -
request for support of resolution re
Ovarian Cancer Awareness Month

Barboza/Cordeiro - Voted
unanimously to adopt a similar
resolution on behalf of the Town of
Bristol; except that said
resolution will not be distributed.

Prior to the vote taken, the Clerk asked that his office
might be exempted from distributing the adopted resolution
with the Council in agreement that a distribution would not
be necessary.

2. Louise R. Phaneuf, Burrillville Town Clerk - request for support opposing Senate Bill 2009 - S1012, An Act Relating to Towns and Cities - General Powers

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

3. Louise R. Phaneuf, Burrillville Town Clerk, Town of Burrillville - request for support of resolution opposing Senate Bill 2009 - S0713, An Act Relating to Labor and Labor Relations - Certified School Teacher Arbitration

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

4. Kathleen M. Silvia, Newport City Clerk - request for support of resolution opposing legislation requiring mandatory binding arbitration for school teacher contracts
 - a. Jean M. Fecteau, Gloucester Town Clerk - request for support of resolution opposing legislation binding arbitration for teacher contracts

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

5. Director of Community Development Williamson - request for consideration of ordinance proposal received by Bruce Kogan (Zoning Board of Review) re residential rental registration

Herreshoff/Barboza - Voted unanimously to receive and place this matter on file with thanks to Mr. Kogan for providing the information.

Prior to the vote taken, Mr. Kogan noted the information submitted to the Council for its consideration. He noted that there are illegal apartment units and that this required registration would identify these.

Mr. Kogan also explained that the Town has experience with problem tenants and that these persons cannot be readily identified since some properties are owned by corporations.

Mr. Kogan also informed the Council that the Town sometimes has problems with tenants and is unable to locate the property owners since contact information may be missing or outdated.

He reported that the City of Newport and Town of Narragansett both have landlord-rental property registration due to the relatively high student-renter population in those places. He claimed that the benefits of this type of landlord registration are found in a more accurate record of rental housing stock, precise contact information for police, fire, and other emergency service providers, information for abutting property owners and also accountability to tenants. Mr. Kogan suggested that the Town might collect a fee from the landlords to help defray the cost of this registry.

Councilman Herreshoff stated that he was concerned that the proposal as devised by Mr. Kogan might amount to "needless meddling" and would likely become an unjustifiable burden upon the Town Hall. Councilman Herreshoff also stated that he did not believe there was a compelling need to create a registry of absentee landlords.

Councilwoman Parella agreed with Councilman Herreshoff stating that the problems associated with absentee landlords appear to be minimal and that the proposal addresses same with a "sledgehammer." Councilwoman Parella also stated that the proposed fee was problematic since many of the landlords are "mom and pop" property owners and that the additional fee would be burdensome.

Mr. Kogan noted that the idea of a fee is not central to his proposal and that many of the illegal apartments in town are owned by "mom and pop" landlords.

Councilwoman Parella stated that she would like to review evidence of the problem as noted by Mr. Kogan so as to determine if this problem is isolated or wide-spread with Mr. Kogan suggesting that the Council might obtain some data from Code Compliance Coordinator Jack Evans.

Councilman Herreshoff speculated that the cost to enter landlord information into the Assessor's data base would be costly. He also stated that it would be "strange" if the

tenant, cited for non-compliance to Town Ordinances, etc., would not be able to provide the name and address of the landlord at that time.

Director of Community Development Williamson stated that Planner Tanner and Code Compliance Coordinator Evans had essentially the same debate when this topic was raised earlier and that she, Director of Community Development Williamson, is not yet convinced of the need for a landlord registry.

Director of Community Development Williamson explained that Code Compliance Coordinator Evans has experienced some problems with absentee landlords and that any policy change would be the responsibility of the Town Council.

Director of Community Development Williamson also stated that she was of the opinion that the same persons who are now problem absentee landlords will fail to register and that enforcement regarding same would be difficult.

Councilman Barboza stated that he was interested in both sides of this debate but was unwilling to ordain new regulations in the absence of a wide spread problem.

Council Chairman Marshall raised the issue of affordable housing inventory suggesting that a registry might help the Town prove that it has more than the recognized number of affordable units.

Director of Community Development Williamson stated that the state law essentially requires that "affordable" units must have a subsidy and that the law must be changed if the Town will be allowed to count affordable units solely based upon the amount of rent charged by property owners without a subsidy.

Councilman Barboza stated that he was of the opinion that rental charges are a private matter between the landlord and tenant.

Councilman Cordeiro stated that he was aware that other communities such as St. Louis, Missouri and Raleigh, North Carolina have the type of registry as proposed by Mr. Kogan. He noted that he would like to know the rationale for these registries.

Director of Community Development Williamson suggested that Mr. Kogan's students may be able to provide information regarding same.

Council Chairman Marshall stated that the town might be willing to establish a local tax-abatement subsidy for "affordable" rental units thus allowing these to qualify for the state regulations.

Director of Community Development Williamson suggested that the Town might adopt a "two-pronged" approach by getting the state to recognize a low rent or local subsidy and also to reach out to the various landlords to determine the availability of data.

6. Councilman Barboza re Water Advisory
 - a. Councilman Herreshoff re recent water contamination

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of October 7, 2009.

Prior to the vote taken, Councilman Barboza noted that there appeared to be "more questions than answers" concerning the recent water advisory and that he found "unacceptable" the process followed in order to inform the public.

Councilman Barboza reported that Rep. Gallison and Sen. Bates were introducing legislation to address the problem and that the Bristol County Water Authority, in the interim, should adopt a more-prudent plan. He suggested that the Water Authority should, at the least, contact the police departments in the event of an advisory.

Councilman Barboza suggested that the matter might be better discussed as part of the planned meeting with the Water Authority to be held on October 3, 2009 and that he was particularly "amazed and embarrassed" about the "cavalier and dismissive" comments of Water Authority Executive Director Pasquale DeLise.

Councilman Barboza complimented both Town Administrator Mederos and the fire department upon their handling of the difficult situation and again suggested that the Water Authority should have a more definitive plan for informing the public including a "reverse 911" telephone calling system. He noted that Town Administrator Mederos was investigating same for these and other emergencies.

Town Administrator Mederos reported that Dave Smith of Emergency Management facilitated the local response to the emergency and that the information was provided on the Town website and that this was a "great tool."

Town Administrator Mederos further reported that the various parties including the Town officials of Barrington, Warren and Bristol, fire, police and Water Authority plan to meet and discuss "what might be done better."

Town Administrator Mederos further reported that there will be a public meeting held on October 29th at Warren Town Hall arranged by Senators Bates and Felag.

Councilman Barboza stated that the largest problem appears to be one of communication.

Councilman Herreshoff asked to know if there was a report on the cause of the water contamination with Town Administrator Mederos responding that there was no report provided as of this date.

Frank J. Sylvia, a member of the Water Authority, informed the Council that the source of the contamination appeared at one (1) residence in Barrington and that he had not "visually" seen any report. Mr. Sylvia noted that the responsibility for informing the public, etc., appears to rest with the State Department of Health.

Council Chairman Marshall asked to know when the problem was discovered with Mr. Sylvia responding that he was told that the problem was discovered on Monday, September 7.

Councilman Herreshoff agreed with the points raised earlier by Councilman Barboza and that the Council should be informed of the Water Authority's protocol for these situations.

Mr. Sylvia informed the Council that Mr. DeLise contacted the Warren Fire Chief concerning the advisory.

7. RI League of Cities and Towns re invitation to 40th Annual Dinner Meeting, October 27, 2009

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

8. Councilman Herreshoff re Downtown Streetscape

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

Prior to the vote taken, Councilman Herreshoff again noted that the State is installing new sidewalks and curbs along Route 114 on Aquidneck Island and the Town of Bristol's sidewalk improvement project remains undone. Councilman Herreshoff stated that the central part of Town is "shabby" and that Bristol is not getting its fair share.

Councilman Herreshoff further observed that the promise to improve the pavement in Bristol has a "long history" and that he is "skeptical" that the State Department of Transportation can accomplish the task.

Councilman Herreshoff also questioned the need for a completely new design since the existing design is good and that all that might be needed is reconstruction and/or repair of the existing sidewalks, etc.

Councilman Herreshoff suggested that Town Administrator Mederos might establish a "committee" consisting of Public Works Director Serbst and others and to convey information on the needed repairs to the State authorities.

Councilwoman Parella stated that an important aspect of the repairs would be to assure that the proper materials are used.

Town Administrator Mederos reported that the various parties plan to meet monthly once the plans are at ninety percent (90%). She also noted her plan to inaugurate a "fresh look" to the downtown area with new trash receptacles, "wayfinder" grant signage, and a general cleaning and removal of cigarette ends, etc.

Councilman Herreshoff suggested that the Town might pressure-wash dirty sidewalks. He volunteered the use of his pressure washer for this purpose.

Town Administrator Mederos agreed to discuss the idea of pressure washing with Public Works Director Serbst.

Linda C. Arruda, a downtown merchant, suggested that the Town should keep the merchants apprised of the State's plan should the project become "real," expressing concern that new roads and sidewalks might disrupt business and early

knowledge of same will help the merchants minimize the disruption.

Ms. Arruda also suggested that a downtown improvement might suggest that merchants sweep the roads and sidewalks in front of their establishments more regularly.

9. Director of Community Development Williamson - request to schedule a workshop re feasibility study for potential re-use of golf course property

Barboza/Cordeiro - Voted unanimously to schedule a workshop regarding the future of the golf course property at the convenience of the various parties.

Prior to the vote taken, Council Chairman Marshall stated that it was the Town's policy to remain proactive concerning this matter.

Director of Community Development Williamson reported that the Town is in possession of an engineering study completed by Pare Associated and agreed to provide a copy of same to the individual Council members.

Town Administrator Mederos suggested that the Council might schedule a workshop and involve the interested parties in same.

L. BILLS & EXPENDITURES

1. Bid #682 - Firefighter Protective Clothing

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

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

American Fire Equipment Co. Inc.	\$1,753.00/set
Fire Tech & Safety of New England, Inc	\$1,606.70/set

2. Bid #683 - Wastewater Treatment Facility and Remote Pumping Stations Improvement

Herreshoff/Cordeiro - Voted unanimously to refer this matter to the Town Administrator and the Superintendent of Water Pollution Control to act in the best interest of the Town.

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

Hart Engineering Corp.	\$4,942,000.00
Waterline Industries Corp.	\$5,537,677.00

3. Town Treasurer Day re Intradepartment Line Item Transfer Request

Barboza/Cordeiro - Voted unanimously to authorize this transfer per the recommendation as provided.

Prior to the vote taken, Town Administrator Mederos reported that these funds were appropriately under the control of the Parks & Recreation Department. Town Administrator Mederos also reported that these facilities are kept very clean.

(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) re Revenue and Expenditure Statement, September 11, 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. Coastal Resources Management Council re (amended) Semi-Monthly Meeting, August 25, 2009
2. Coastal Resources Management Council re (amended) Semi-Monthly Meeting, August 25, 2009
3. Michael P. Lewis, Director, RI Department of Transportation to Town Administrator Mederos re status of Hope Street project, sidewalk repair from Washington to Constitution Streets

It is hereby noted for the record that this matter was discussed during agenda item K8.

4. Rep. Douglas Gablinske to Michael P. Lewis, Director, Department of Transportation re Hope Street project
5. Council Clerk Cirillo to Vatche Avedissian, d/b/a Classic Pizza & Grill, 390 Metacom Avenue re Class B-Victualler Liquor License Renewal
6. Kathleen Viera Beaudoin, Portsmouth Town Clerk re support of resolution opposing reinstatement of tolls on Mt. Hope Bridge
7. Town Administrator Mederos and C. Richard Paduch, Warren Town Manager to David P. Faucher, President, Governmental Health Group of RI re nominations for alternate directors
8. Council Clerk Cirillo to Robert Rocchio, P.E., Secretary/Technical Advisor, RI State Traffic Commission re No Parking north of driveway opening at 221 Hope Street (Edgewater Condominium)
9. Notice of Town Code Violation re Section 10-41 (j) Disorderly house at 629 Wood Street

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

Prior to the vote taken, Councilman Barboza commended Code Compliance Coordinator Evans upon his interest in the issue

and noted that Mr. Evans is sending a warning that Bristol will not tolerate an "animal house."

10. Jean M. Fecteau, Gloucester Town Clerk re resolution opposing unapproved land use, Carcieri v. Salazar
11. Coastal Resources Management Council - September 2009 Calendar
12. Town Administrator Mederos to Robert J. Knox, Cardi Corporation re award of Bid #681, Parking Lot Paving
13. Council Clerk Cirillo to W. Michael Sullivan, Ph.D., Director, RI Department of Environmental Management re expansion of leased athletic field agreement
14. Town Solicitor Ursillo re Rebello Land Gift (recorded copy)
15. Town Clerk/Council Clerk Cirillo to Joseph Rebello, et al re donation of property on Jones Avenue
16. Assistant Town Solicitors Teitz and Scott re request for reconsideration of letter of recommendation issued by U.S. Coast Guard re Weaver's Cove Energy, LLC proposal
17. Town Administrator Mederos to Jean Truax, Truax Corporation re award of Bid #680, CCTV Inspection of Gravity Sewer
18. Town Clerk/Council Clerk Cirillo to Fred DaSilva, Recreation Board re thank you for service
19. Town Clerk/Council Clerk Cirillo re October 7, 2009 Council docket closing and November 11, 2009 Council meeting date change
20. Warrant - Engracia Rodriques, Rogers Free Library - Board of Trustees
21. Council Clerk Cirillo to Michael P. Lewis, Director, RI Department of Transportation re recognition of 225th Fourth of July anniversary celebration

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

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

1. Bristol Warren Regional School District -
Schedule of Meetings, Week of August 31, 2009
2. Bristol County Water Authority/Board of
Directors - September 9, 2009
3. Bristol County Water Authority/Public
Relations/Personnel Committee - September 2,
2009
4. Bristol County Water Authority/Engineering
Committee - September 2, 2009
5. Bristol County Water Authority/Audit Finance
Committee - September 2, 2009
6. Bristol Warren Regional School District -
Schedule of Meetings, Week of September 7,
2009
7. (Bristol Warren Regional School Committee)
Future Enrollment & Facilities Task Force -
September 8, 2009
8. Fire Department (Rescue/Training
Headquarters) Capital Project Committee -
September 10, 2009
9. Harbor Commission - September 14, 2009
10. Bristol Warren Regional School District -
Schedule of Meetings, Week of September 14,
2009
11. Bristol Warren Regional School Committee -
September 14, 2009
12. Bristol Warren Regional School Committee
Personnel/Contract Subcommittee - September
14, 2009

13. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - September
14, 2009
14. Bristol County Water Authority - October 2009
Meetings

S. TOWN SOLICITOR

1. Request for Executive Session pursuant to
RIGL §42-46-5 (a) (2) & (5)

It is hereby noted for the record that action on the above item took place at the conclusion of the public agenda.

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

- a. Condolences Principe and Mattos - Council Chairman Marshall expressed the Council's sympathies upon the passing of Matthew Principe, Jr., father-in-law of Water Pollution Control Superintendent Calderiso and the passing of Lorraine Mattos, mother of former Deputy Town Clerk, Jane Centazzo.
- b. Thank You Messrs. Davis and Roth - Council Chairman Marshall expressed the Council's gratitude to Mike Davis and Steve Roth for filming this evenings proceedings.

2. CORDEIRO

3. PARELLA

- a. Bruce Oliver - Councilwoman Parella noted the passing of former Veterans Council President Bruce Oliver and recognized Mr. Oliver's many contributions to local veterans groups in past years.

4. BARBOZA

- a. MS 50 Mile Walk - Councilman Barboza noted his participation as part of the medical team during a recent 50 mile walk event on Cape Cod.

5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

- a. Fire Chief Martin - Town Administrator Mederos reported that Fire Chief Martin was recuperating after his recent surgery.

CITIZENS PUBLIC FORUM

Barboza/Cordeiro - Voted unanimously to adjourn into Executive Session pursuant to RIGL 42-46-5 (a) (2) and (5) at 9:45 o'clock PM.

Barboza/Parella - Voted unanimously to resume open session and seal the minutes of the Executive Session at 10:19 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 10:20 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk