

TOWN COUNCIL MEETING - WEDNESDAY EVENING - OCTOBER 7, 2009

PRESENT: Marshall, Cordeiro, Parella, Barboza, and
Herreshoff (arrived at 7:30 o'clock PM)

ALSO PRESENT: Diane C. Mederos, Town Administrator (arrived
at 8:05 PM)
Michael A. Ursillo, Esq., Town Solicitor
(arrived at 7:25 PM)
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening,
October 7, 2009 in the Town Hall, Council Chambers,
beginning at 7:15 o'clock PM, Council Chairman Marshall
presiding:

Prior to the commencement of this evening's regular agenda,
The Clerk announced that he was informed that Town
Administrator Mederos was speaking to a class at the
University of Rhode Island and would be returning to the
Council meeting at the conclusion of her speaking
engagement.

Council Chairman Marshall announced that the East Bay
Bicycle Path will be officially named to the "Trail Hall of
Fame" on Friday, October 9, 2009 beginning at 11:30 o'clock
AM. Council Chairman Marshall noted that this is a National
recognition and that the path is part of the "Rails to
Trails" program.

Councilman Barboza announced that the Pastime Theatre
Foundation is offering a program at the Kickemuit Middle
School, grades 7 and 8, entitled "Take 1" to provide
students opportunities in film studies. Councilman Barboza
suggested that those interested might review an outline of
the program on the Pastime's website www.thepastime.org.

Council Chairman Marshall announced that the Mosaico
Community Development Corporation has funding available
through the Community Development Block Grant for job
training and that there are openings in the program.

Councilman Cordeiro reported that the Rogers Free Library,
in cooperation with other area public libraries will be
conducting a GED program.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Cordeiro/Barboza - Voted
unanimously to approve the Consent
Agenda withholding agenda items R7
(to be combined with public agenda

item B5) and R17 for further consideration.

Prior to the vote taken, Councilman Cordeiro suggested that item R7 might be discussed along with agenda item B5 and Councilman Barboza asked that item R17 might be withheld.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Workshop - September 10, 2009

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

2. Town Council Meeting - September 16, 2009

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

3. Special Town Council Meeting - September 29,
2009

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

After the vote taken, Council Chairman Marshall commented that the special meeting held at the new Fire Headquarters and Rescue Station was very informative and that the project is on budget and on schedule.

Council Chairman Marshall also observed that the new building has a tank available to retain rain water that can be used to wash the rescue vehicles thus saving on the cost of water.

Councilman Barboza observed that there were no members of the public present at the meeting this including those persons who have publicly objected to the new building.

Council Chairman Marshall also observed that the workshop held with the Historic District Commission and others on September 10, 2009 was "civil" and yielded useful results.

Town Solicitor Ursillo arrived at this point in the meeting (7:25 o'clock PM)

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

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

1. Bristol County Water Authority/Board of Directors - August 12, 2009
2. Bristol County Water Authority/Audit Finance Committee - September 2, 2009
3. Bristol County Water Authority/Public Relations/Personnel Committee - September 2, 2009
4. Bristol County Water Authority/Engineering Committee - September 2, 2009
5. Planning Board - Special Meeting, July 21, 2009
6. Planning Board - July 14, 2009
7. Harbor Commission - September 14, 2009
8. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - August 27, 2009
9. Bristol Housing Authority, Board of Commissioners - June 18, 2009
10. Redevelopment Agency - July 30, 2009
11. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - September 10, 2009
12. Board of Canvassers - January 29, 2009
13. Board of Canvassers - September 2, 2009

B. OLD BUSINESS

1. Councilman Herreshoff re Tree Infestation, **continued from August 26, 2009**

Barboza/Herreshoff - Voted unanimously to refer this matter to the Town Administrator and Town Treasurer so that they may review

same and return to the Council with a recommendation for further action.

Prior to the vote taken, Clem Desjardins of Samuel Kinder and Bro. presented the Council with a proposal combining various insect control measures.

Mr. Desjardins also reported that the USDA Forest Service informs him that the parasitic wasp program as underway in Massachusetts may be available to Bristol for application through the University of Massachusetts Cooperative Extension Service.

Mr. Desjardins explained that this would be a 'pilot' program within some contained areas perhaps these being Mount Hope Farm or the Waypoysset Preserve since the development of the wasp population may take five (5) or more years to become useful and must remain essentially undisturbed during that time frame. He agreed to provide additional information on this potential program as it becomes available.

Councilman Herreshoff arrived at this point in the meeting (7:30 o'clock PM).

Mr. Desjardins explained that the Kinder proposal suggests spraying insecticide in certain highly-infested areas in the western part of Town and utilizing a biological agent in the remaining areas. He explained that the insecticide is thought to be more effective than the biological material but that the latter carries fewer hazards to non-caterpillar life. He also explained that the biological material was somewhat more expensive than the insecticide.

Mr. Desjardins also informed the Council that the program cost estimate as presented did not contain a "notification" component. He explained that the Town may wish to include some mechanism to assure that the public is informed of any potential hazards.

Councilwoman Parella asked to know if the use of the biological material was harmful to bees with Mr. Desjardins responding that it would not harm the bees to the extent that the insecticide would. He compared, in detail, the application and effectiveness of the two different treatments.

Councilwoman Parella strongly suggested that the Town might consider using only the biological agent since the cost and

effectiveness appeared to be relatively the same and the potential for hazards appeared to be much higher with the insecticide option.

Mr. Desjardins explained that both options utilized safe products and if these were to be applied according to accepted practice both would be considered as safe.

A further discussion ensued regarding the two options with Councilwoman Parella again stating that she had concern regarding the exposure potential for children and bees and again stated that she would prefer if the biological option be applied rather than the insecticide option.

A discussion ensued regarding the possibility of utilizing the parasitic wasp with Mr. Desjardins noting that that option would be essentially experimental at this time and would be best pursued and applied on a "separate track." He agreed to contact the officials of the University of Massachusetts.

2. Town Treasurer Day re Rescue Headquarters progress report, **continued from September 16, 2009**

- a. (Town Treasurer Day) re Financial Statement for Fire Department & Rescue Station project

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

3. Councilman Barboza re Water Advisory,
continued from September 16, 2009

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

Prior to the vote taken, Councilman Barboza explained that he was comfortable that the Water Authority will have a better system to notify the proper authorities in the event of a water crisis. Council Chairman Marshall added that the new notification system working on this upgrade include the town administrator/managers, state officials, officials of Roger Williams University and Water Authority officials.

4. Councilman Herreshoff re Ferry Road repair,
continued from September 16, 2009

Herreshoff/Parella - Voted
unanimously to continue this matter
until the meeting of October 28,
2009.

Prior to the vote taken, Councilman Herreshoff stated that although the recent repairs to the road appear to be an improvement over the previously observed repairs, there still appeared to be a depression in the road. He expressed concern that the Water Authority might plan to have the road paved curb-to-curb prior to resolving the reason for the depression.

Councilman Cordeiro noted that Town Administrator Mederos has been in contact with the State Department of Transportation and also the Bristol County Water Authority regarding this matter.

Councilman Herreshoff suggested that the matter should be continued until the next meeting in order to keep the situation 'visible.'

5. Stephen Cornwall, (Rogers Free) Library
Capital Project Committee re completion of
project, **continued from September 16, 2009**

Parella/Herreshoff - Voted
unanimously to approve payment of
the Town's share of the outstanding
item list totaling \$19,173.08 with
instruction to Town Treasurer Day
to locate a source of funding to
cover same.

Cordeiro/Herreshoff - Voted
unanimously to authorize Council
Chairman Marshall to contact Lusi
Construction in order to resolve
these pending matters, as noted in
the letter of Elizabeth Brito to
Town Treasurer Day and otherwise to
seek the services of a "trouble
shooter" per the recommendation of
Mr. Cornwall.

Prior to the vote taken, Councilman Cordeiro drew attention to the letter of Elizabeth Brito, addressed to Town Treasurer Day and presented a spreadsheet of expenses totaling \$74,883.07. Councilman Cordeiro explained that the amount of the expenses borne by the "Friends of the Library" amounted to \$55,709.99 and the remainder was attributable to the construction cost of the building amounting to \$19,173.08 and noted that Town Treasurer Day was aware of this outstanding amount.

Councilman Herreshoff expressed satisfaction that the Friends of the Library would pay the larger amount and suggested that the Town should "cover" the \$19,173.08.

Town Administrator Mederos arrived at this point in the meeting (8:05 o'clock PM).

6. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - request for a Hawkers and Peddlers License, **continued from September 16, 2009**

Herreshoff/Cordeiro - Voted
unanimously to continue this matter
until the meeting of November 11,
2009.

Prior to the vote taken, Town Solicitor Ursillo explained that he drafted an ordinance amendment that will be placed before the Council for its consideration for First Reading on October 28, 2009. Town Solicitor Ursillo further explained that the amendment will allow the Council the option to place certain special exceptions on Hawkers and Peddlers licenses should this be the desire of its honorable body.

Ms. Hanos stated that she was not interested in a regular Hawkers and Peddlers license but would rather have a license to sell during Concerts on the Common and activities sponsored by the Fourth of July Committee, etc. Ms. Hanos also informed the Council that she would fund-raise for Town charities while selling her products.

7. John E. DelGreco, d/b/a Only A Dollar, 10 Gooding Avenue - request for a Junk and Second Hand Dealer's License, **continued from September 16, 2009**

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

Prior to the vote taken, the Clerk explained that the petitioner failed to appear with the requisite list of abutters in order to fulfill the notice requirements. He also noted that his office attempted to contact the petitioner several times.

8. Michael P. Lewis, Director, Department of Transportation to Council Clerk Cirillo re recognition of 225th Fourth of July celebration on "Welcome to Rhode Island" signs in 2010

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

Prior to the vote taken, Town Administrator Mederos reported that the correspondence from Director Lewis appeared to be "pretty positive." Town Administrator Mederos also reported that the State has not yet made its final decision regarding the welcome signs.

9. Henry Sousa, 147 Bay Spring Avenue, Barrington - request for a pension re service on the Board of Canvassers
 - a. Previous Council action re the matter of Henry Sousa
 - b. Town Solicitor Ursillo re the matter of Henry Sousa and Rhode Island Pension Laws

Barboza/Herreshoff - Voted
unanimously to deny the request and
provide correspondence from the
Town Solicitor to Mr. Sousa
regarding same.

Prior to the vote taken Town Solicitor Ursillo reported that the pension laws have changed significantly since the 1980s, with new regulations being established in 1994. He noted that Mr. Sousa does not fit the definition of someone who is eligible for a pension.

Council members applauded Mr. Sousa for his many years of service, adding that they were unable to grant his request.

Councilwoman Parella noted that the General Assembly was once able to enact "special pension" legislation for individuals who fell outside of the regular pension program but that these laws were also changed when the pension reform legislation was enacted. Councilwoman Parella added that nowadays special pensions were "unheard of."

10. Town Administrator Mederos re reconsideration of request for support in opposition to binding arbitration legislation (Senate Bill 2009-S0713)
 - a. (draft) Resolution re opposition to mandatory binding arbitration for teacher contracts

Herreshoff/Cordeiro - Voted unanimously to adopt the Resolution as prepared and presented.

BB. SPECIAL /STATUS REPORTS

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 September 16, 2009)**

- a. Karen Binder, Executive Director, Blithewold, Inc. to Joseph Antinucci, Van Wickle Lane Association re invitation to discuss Blithewold's operations
- b. James W. Farley, President, The Mount Hope Trust re proposed noise ordinance change

Late Item

- c. Janice and Joseph Antinucci, et al, Van Wickle Homeowners Association re support or proposed ordinance

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

Prior to the vote taken, Council Chairman Marshall reported that the matter was continued for several meetings with the hope that the various parties would meet and resolve their differences. Council Chairman Marshall also noted that the problem of noise in Bristol may go beyond this particular matter and relate also to disorderly drinking establishments, disorderly houses and industrial parks.

Council Chairman Marshall suggested that the Council may wish to establish a committee to comprehensively study the noise situation and to make overall recommendations for Council consideration.

Council Chairman Marshall suggested that the Committee should consist of seven (7) members including Police Chief Canario, Planner Edward Tanner, a member of the Town Council, and four (4) others as appointed by the Town Council.

Councilman Barboza asked to be appointed as the Council representative since he has been interested in the Town's noise issues for some time. Council Chairman Marshall stated that Councilman Barboza might have a conflict of interest and that the Council may wish to consider appointing either Councilman Cordeiro or Councilwoman Parella to serve.

Town Solicitor Ursillo noted that the Council would have to consider this matter more thoroughly at a meeting where the topic was part of the published agenda. He suggested that the Council might ask the Clerk to place the matter on the next agenda for consideration.

Council Chairman Marshall stated that he was aware that the non-profit groups affected by the proposed ordinance need the revenues from private parties. He also stated that the Council's goal should be to control "rowdy obnoxious groups."

Councilman Barboza stated that the "season" is nearly over; this affording the Council some time to prudently consider the matter. He further stated that the Council may wish to examine the rules and regulations as imposed by other like communities.

Councilman Herreshoff suggested that any committee charged with the responsibility to examine the problem might also investigate the "physics of sound" in order to derive some meaningful measurements.

Council Chairman Marshall also expressed concern at the tone of the letter presented by Mr. Farley, calling same "vile, arrogant, and disrespectful." He also expressed disappointment that Mr. Farley did not attend this meeting after being asked to do so by Council Chairman Marshall.

Council Chairman Marshall also categorized this noise problem as "the most difficult challenge" facing the Council.

2. Ordinance #2009-14, CHAPTER 29, Soil Erosion, Runoff, and Sediment Control, Article I, In General, Sections 29-2 and 29-3, Article II, Provisions--Procedure, Sections 29-26, 29-27 and 29-33, Article III, Soil Erosion, Runoff and Sediment Control Plan, Sections 29-58 through 29-63, **1st Reading**

Barboza/Cordeiro - Voted
unanimously to consider this action
to constitute the First Reading of
Ordinance #2009-14. Advertise in
local newspaper.

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for September, 2009 (supplemental)
2. 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. Economic Development Commission (to fill vacancy term to expire September, 2012)
 1. Brian W. Clark, 7 Heritage Road - interest/appointment
 2. William Grapentine, 10 Monterey Drive - interest/appointment

Barboza/Cordeiro - Voted unanimously to interview these persons for the position.

- b. Juvenile Hearing Board - Alternate Member (to fill vacancy term to expire December, 2011)
 1. Emily Spinard, 35 Dartmouth Street - interest/appointment
 2. Matthew P. Cabral, 34 Thames Street - interest/appointment

Councilman Cordeiro nominated Mr. Cabral for appointment citing his experience as a police officer.

There were no counter-nominations.

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

- c. Recreation Board (to fill unexpired term to expire February, 2010) & Auxiliary Member (to fill unexpired term to expire February 2011)
 1. Joseph Carosi, 114 Berry Lane - interest/appointment
 2. Karen Kestenberg, 54 Viking Drive - interest/appointment
 3. William Cain, 109 Constitution Street - interest/appointment

Councilman Barboza nominated Ms. Kestenberg for appointment as the full member.

There were no counter-nominations.

Barboza/Cordeiro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Kestenberg to fill the unexpired term; term to expire in February 2010.

Councilman Barboza nominated Mr. Cain for appointment as the auxiliary member.

There were no counter-nominations.

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

d. Christmas Festival Committee

1. (Patricia Baccus, Chairperson, Christmas Festival Committee) re 2009-2010 proposed membership list

Late Item

2. Patricia Baccus, Chairperson, Christmas Festival Committee re supplemental membership

Councilman Barboza nominated the slate of members as recommended by the Committee; including the supplemental listing.

There were no counter-nominations.

Barboza/Cordeiro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of the slate as proposed for the ensuing term.

- e. Eastern RI Cooperative Extension (to fill vacancy term to expire October, 2010)

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

Prior to the vote taken, the Clerk noted that the position
has been vacant for some time. The Clerk agreed to contact
the agency in order to obtain an up-to-date job description
and candidate profile for the position.

f. Substance Abuse Prevention Task Force

1. (Victoria White, Chairperson,
Substance Abuse Prevention Task
Force) re updated 2009-2011
membership list

Councilman Barboza nominated the slate of members as
recommended by the Committee.

There were no counter-nominations.

Barboza/Cordeiro - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of the slate as
proposed for the ensuing term.

G. LICENSING BOARD - NEW PETITIONS

1. Ron Moran, 213 Mt. Hope Avenue, d/b/a R.M.T.,
Inc. - request for a Drainlayer's License

Late Item

- a. Recommendation - Director of Public
Works

Herreshoff/Barboza - Voted
unanimously to grant this license
based upon the recommendations
received for a trial period of six
(6) months and subject to
conformance to all laws and
ordinances and subject to payment
of all fees, taxes and levies.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

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

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Phyllis Bravo, 155 Franklin Street, Unit 5F (Crow's Nest Condominiums) - request for reimbursement re past real estate assessments

Herreshoff/Barboza - Voted unanimously to refer this matter to the Town Solicitor and also continue said matter until the meeting of October 28, 2009.

Prior to the vote taken, Town Solicitor Ursillo noted that this matter would require some additional study and suggested that it might be continued to the next meeting in order to allow him time to accomplish same.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Coastal Resources Management Council re Public Hearing scheduled for consideration of proposed changes to the RI Coastal Resources Management Program on October 27, 2009

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

2. Town Administrator Mederos re 2010 Census Partner Proclamation

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

3. Director of Community Development Williamson re revisions to 2008 Comprehensive Plan per the request of the RI Statewide Planning Department

Late Item

- a. (Director of Community Development Williamson) re Summary of Proposed Amendments - October 5, 2009

Parella/Herreshoff - Voted unanimously to consider this action

to be the First Reading of the proposed amendments to the Comprehensive Plan, call for a public hearing to be held at the meeting of October 28, 2009.

4. Town Clerk Cirillo re Non-Profit Entertainment License Policy

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

L. BILLS & EXPENDITURES

1. Bid #684 - Surplus Truck Equipment Sale

Herreshoff/Cordeiro - Voted unanimously to declare that these items have ceased to be useful to the Town and to authorize the Town Administrator to act in the best interest of the Town this including the open-market sale and/or disposal of same as found to be necessary.

Prior to the vote taken, the Clerk noted the receipt of a bid from Aquidneck Construction of Portsmouth, Rhode Island, for several items totaling \$1000. He also noted that there were no additional bids.

(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, October 1, 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. Notice of Town Code Violation re Section 10-41 (j) Disorderly house at 3 Avenir Court
2. Resolution re appointment of representatives to the East Bay Energy Consortium (signed copy)
3. Proclamation re Ovarian Cancer Awareness Month (signed copy)
4. Wendy J.W. Marshall, CMC, Middletown Town Clerk re resolution concerning Ovarian Cancer Awareness Month
5. Town Clerk Cirillo to Arden Engineering Construction, LLC re return of bid documents received after deadline for Bid #683 - Wastewater Treatment Facility and Remote Pumping Stations Improvements
6. Warrant - Patricia Woods, Economic Development Commission
7. Elizabeth G. Brito, Chairperson, Rogers Free Library Board of Trustees to Town Treasurer Day re additional funding request for building maintenance

It is hereby noted for the record that this item was discussed as part of item B5 above.

8. Jodi P. LaCroix, CMC, Charlestown Town Clerk re resolution concerning Ovarian Cancer Awareness Month
9. Wendy J.W. Marshall, CMC, Middletown Town Clerk re resolution opposing mandatory binding arbitration for teacher contracts
10. Proposal of Arnold N. Robinson, AICP re Animal Shelter project (signed copy)
11. Leif Jensen, 16 Constitution Street, et al to Police Chief Canario re excessive motorcycle noise
12. Class F Intoxicating Beverage License granted to St. Elizabeth Church/Santo Cristo

Committee, 577 Wood Street for a Fundraising Dinner on September 26, 2009

13. Coastal Resources Management Council re Semi-Monthly Meeting, September 22, 2009
14. Louise R. Phaneuf, Burrillville Town Clerk re resolution concerning Ovarian Cancer Awareness Month
15. Mary Ellen Murano, Executive Assistant, South Kingstown School Committee re resolution opposing mandatory binding arbitration for teacher contracts
16. Complaint for personal injuries re Mary B. Strickland (referred to Interlocal Trust on November 12, 2008)
17. Town Administrator Mederos to Linda J. Maaia, President, Full Channel Cable Television - thank you for support re Last Night concert

Barboza/Cordeiro - Voted
unanimously to receive and place
this matter on file.
18. Leigh Botello, East Greenwich Town Clerk re resolution concerning Ovarian Cancer Awareness Month
19. Jo Eva Gaines, Chairperson, Newport School Committee re resolution opposing mandatory binding arbitration for teacher contracts
20. Michael F. Crowley, Jr., Chairperson, Middletown School Committee re resolution opposing mandatory binding arbitration for teacher contracts
21. Class F Intoxicating Beverage License granted to Our Lady of Mount Carmel Church, State Street for a Fundraiser on October 23, 2009
22. Town Clerk/Council Clerk Cirillo to Mark W. Matrone, Economic Development Commission re thank you for service
23. E. Richard Carpender, Chair, Portsmouth School Committee re resolution opposing

mandatory binding arbitration for teacher contracts

24. Coastal Resources Management Council re October 2009 Calendar
25. Rep. Douglas W. Gablinske to Chuck Alves, Deputy Director and Robert A. Smith, P.E. Deputy Chief Engineer, Department of Transportation re Hope Street roadway reconstruction project
26. Elizabeth J. Cook-Martin, Hopkinton Town Clerk re resolution opposing mandatory binding arbitration for teacher contracts
27. Town Clerk/Council Clerk Cirillo to Warren Rensehausen, Recreation Board and Substance Abuse Prevention Task Force re thank you for service

(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 September 21, 2009
2. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - September 24, 2009
3. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - September 28, 2009 (10 o'clock AM)
4. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - September 28, 2009 (6:30 o'clock PM)
5. Bristol Warren Regional School District - Schedule of Meetings, Week of September 28, 2009
6. Bristol Warren Regional School Committee - September 28, 2009

7. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - September 30, 2009
8. North and East Burial Grounds Commission - September 28, 2009 (cancelled)
9. North and East Burial Grounds Commission - October 5, 2009
10. Harbor Commission - Special Meeting, October 5, 2009 (6 o'clock PM)
11. Harbor Commission - October 5, 2009 (7 o'clock PM)

S. TOWN SOLICITOR

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

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

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
 - a. Thank You - Council Chairman Marshall expressed his thanks to Mr. Davis for filming this evening's meeting.
 - b. Police Details - Council Chairman Marshall informed Police Chief Canario that he was pleased to see increased patrols on Thames Street.
2. CORDEIRO
3. PARELLA
 - a. Utility Pole State and High Streets - Councilwoman Parella noted that a utility pole at the corner of State and High Streets was in need of repair.
4. BARBOZA
 - a. Town Common Damage - Councilman Barboza asked to know if the recent Carnival on the Town Common

yielded damage to same with Recreation Director Burke responding that there was some minor damage and that this was being addressed.

5. HERRESHOFF

a. Flower Gardens - Councilman Herreshoff noted the success of the garden planted at Silver Creek and suggested that the property at the corner of Wood and Hope Streets might also be improved via a "clean-up."

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. H1N1 Influenza - Town Administrator Mederos reported that Cortney B. Stanford of Bristol Rescue is acting in the capacity of local coordinator for the H1N1 preparedness. Town Administrator Mederos further reported that she and Ms. Stanford are participating in weekly conference calls with other government officials regarding same.

Town Administrator Mederos also noted that updates on H1N1 can be obtained through www.flu.gov and that a link to this website is added to the Town website.

CITIZENS PUBLIC FORUM

Barboza/Cordeiro - Voted
unanimously to adjourn into
Executive Session pursuant to RIGL
§ 42-46-5 (a) (2) Litigation at
9:10 o'clock PM.

Herreshoff/Cordeiro - Voted
unanimously to resume open session
and seal the minutes of the
Executive Session at 9:29 o'clock
PM.

There being no further business, upon a motion by Councilman Herreshoff seconded by Councilman Cordeiro and voted unanimously, the Chairman declared this meeting to be adjourned at 9:30 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk