

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2011

PRESENT: Marshall, Barboza, Teixeira, Herreshoff, and Parella

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

The Council met in regular session on Wednesday evening, May 4, 2011 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 observed the recent eradication of public enemy Osama Bin Laden and also observed that the decisions of government are not taken lightly.

Council Chairman Marshall also observed the presence of Paul C. Dolan as noted below and asked Mr. Dolan to make his presentation at this point in the meeting.

Mr. Dolan, Deputy State Forester, informed the Council that the Town is recognized for its "Tree City USA" distinction and that this is the tenth sequential year in which the Town has been recognized for its tree programs. Mr. Dolan also observed that the "Tree City USA" program is ten years old and also that the Town of Bristol has considered its "urban forest" as a major factor for centuries.

SPECIAL RECOGNITION

Diana Rose Camara
Girl Scout Gold Award

Council Chairman Marshall explained that the recipient could not be present this evening with Councilman Barboza noting that there was a death in the recipient's family. Council Chairman Marshall further explained that Ms. Camara is the recipient of at Girl Scout Gold Award and the Council wishes to provide its congratulations.

Council Chairman Marshall suggested that the Council may award the prepared commendation at a future meeting if this can be arranged at the convenience of the parties.

SPECIAL RECOGNITION

Kickemuit Middle School Girls Soccer Team
RI State Championship, continued from April 13, 2011

Councilman Teixeira read the following commendation into the record:

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

Kickemuit Middle School Girls Soccer Team

*in recognition of their achievement in winning the
Middle School State Championship Title for 2010.*

*As the duly elected representatives of the citizens of the
Town of Bristol we hereby commend these participants of the
Kickemuit Middle School Girls Soccer Team upon this most
admirable success. The Team had an undefeated record of
16-0, a third undefeated regular season in a row, and this,
its third straight division championship.*

*Team Members: Captains Madison Beck, Melanie DaSilva,
Shaelyn Raposa, and Lexi Winnes.
Players Kiahna Almeida, Sarah Aubin, Malloy Beskid, Olivia
Cairrao, Tess Carreiro, Alexia, D'Atra, Taylor DeMello,
Michaela Goglia, Julia Hill, Samantha Hogan, Hannah Klein,
Madeline Lombardo,
Laura Lopes, Kellsie Mitchell, Taylor Perry, Alex Pires,
Carlie Rochefort,
Samantha Tyler, and Holly Vollaro*

Coach: John Raposa

*In witness whereof we have hereunto set our hands and
affixed the Seal of the Town of Bristol on adoption this
Fourth day of May, A. D. Two-thousand Eleven.*

*/s/ Diane C. Mederos, Town Administrator
/s/ Kenneth A. Marshall, Chairman
/s/ David E. Barboza, Vice-chairman
/s/ Antonio A. Teixeira, Councilman
/s/ Halsey C. Herreshoff, Councilman
/s/ Mary A. Parella, Councilwoman
Attest: /s/ Louis P. Cirillo, CMC, Council Clerk*

SPECIAL RECOGNITION

*Mt. Hope High School DECA Students
2011 RI DECA Career Development Conference*

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Also prior to the commencement of this evening's agenda, Council Chairman Marshall read the following commendation into the record:

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

Mt. Hope High School DECA Students

*in recognition of their placing
at the 2011 Rhode Island DECA Career Development Conference.*

*As the duly elected representatives of the citizens of the
Town of Bristol we hereby commend these participants of the
Mt. Hope High School DECA program
upon this most admirable success.*

*First Place Winners with Competency: Theo Moskala, Business
Service Marketing;*

*Corey DaSilva, Marketing Management Event; Victoria Jamiel,
Quick Serve Restaurant Management Event; Ben McConnell,
Entrepreneurship Written Event.*

Fourth Place with Competency: Stephen Parrillo

*First Place Winners: Sophia Andreadis, Retail Marketing;
Kenny Marshall and Kevin Zuniga, Marketing Communications
Team Decision Making.*

*Third Place Winners: Ava Callery, Retail Merchandising;
Bruno Cunha, Business Service Marketing;*

*Kristina Lynch and Marissa Ursini, Marketing Communication
Team Decision Making.*

Teacher: Maureen Gauthier

*In witness whereof we have hereunto set our hands and
affixed the Seal of the Town of Bristol on adoption this
Fourth day of May, A. D. Two-thousand Eleven.*

/s/ Diane C. Mederos, Town Administrator

/s/ Kenneth A. Marshall, Chairman

/s/ David E. Barboza, Vice-chairman

/s/ Antonio A. Teixeira, Councilman

/s/ Halsey C. Herreshoff, Councilman

/s/ Mary A. Parella, Councilwoman

Attest: /s/ Louis P. Cirillo, CMC, Council Clerk

SPECIAL RECOGNITION

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Mt. Hope High School JV Cheerleading Team
2011 RI State Championship

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall read the following commendation into the record:

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

Mt. Hope High School JV Girls Soccer Team

*in recognition of their achievement in winning the
2010 1st Place Division II JV Championship.*

*As the duly elected representatives of the citizens of the
Town of Bristol we hereby commend these participants of the
Mt. Hope High School JV Girls Soccer program upon their most
admirable success.*

*In granting this commendation we further recognize the
Team's history-making season, allowing only two opposing
goals scored and a final undefeated record of 14-0-2 and its
distinction as the first JV Girls Soccer Team to win the
Division II championship.*

Team Members: *Olivia Almeida, Zoe Almeida, Hayley Cambrola,
Destinee DeSousa, Hailie Dion, Brittany Gamon, Alexandra
Hill, Catherine Lopes, Kristina Lynch, Kylie McPherson,
Kaitlin Ouellette, Dyshell Palmer, Emma Pattie, Mary Powers,
Nicole Rusin, Brittni Skipper, Taylor Sousa, Alexandra
Threadgill and Alexandra Wetherald.*

Coaches: *Roy Borges, Gina Calenda, and Kerri Ferreira*

*In witness whereof we have hereunto set our hands and
affixed the Seal of the Town of Bristol on adoption this
Thirteenth day of April, A. D. Two-thousand Eleven.*

/s/ Diane C. Mederos, Town Administrator

/s/ Kenneth A. Marshall, Chairman

/s/ David E. Barboza, Vice-chairman

/s/ Antonio A. Teixeira, Councilman

/s/ Halsey C. Herreshoff, Councilman

/s/ Mary A. Parella, Councilwoman

Attest: /s/ Louis P. Cirillo, CMC, Council Clerk

PRESENTATION

Paul C. Dolan, Deputy Chief, Division of Forest Environment
re Presentation of Award - Tree City USA, 10th Anniversary

It is hereby noted for the record that this presentation took place at the commencement of this evening's regular agenda.

At this point in the agenda, Council Chairman Marshall suggested that several matters of old business might be discussed at this time. These include items B1 and B4 and the discussion and action regarding these matters is reflected in the agenda items respective positions as recorded below:

Adoption of Town Budget 2011-2012

Schedule "A" Operating - \$41,261,771
Schedule "B" Capital - \$ 500,000 (inc. in operating)
Schedule "C" Enterprise - \$ 4,711,117

Barboza/Parella - Voted to adopt the 2011-2012 budget; Schedules "A," "B," and "C" as outlined above. Voting in favor of this motion were Council members Marshall, Barboza, Herreshoff, and Parella. Voting opposed was Councilman Teixeira.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Herreshoff - Voted unanimously to approve the Consent Agenda withholding agenda item R11 for further consideration and combining agenda item R13 with B3.

Also at this time, Councilman Barboza suggested that agenda items C1 and G1 might be combined for consideration concurrently. The Council agreed by consensus to Councilman Barboza's request.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - March 30, 2011
(continued to March 31, 2011)

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

2. Town Council Meeting - March 31, 2011

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

3. Town Council Meeting - April 13, 2011

Teixeira/Barboza - 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. Historic District Advisory Committee -
February 24, 2011
2. Historic District Commission - March 3, 2011
3. Bristol County Water Authority - Board of
Directors, March 9, 2011
4. Bristol County Water Authority - Audit
Finance Committee, April 6, 2011
5. Bristol County Water Authority - Engineering
Committee, April 6, 2011
6. Bristol County Water Authority - Public
Relations/Personnel Committee, April 6, 2011
7. Bristol Housing Authority - March 17, 2011
8. Historic District Advisory Committee - March
10, 2011
9. Recreation Board - March 15, 2011

B. OLD BUSINESS

1. Councilwoman Parella re Garfield Avenue (Mary
Gaspar), **continued from April 13, 2011**

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- a. Director of Community Development
Williamson to Mary Gaspar re CDBG-DR
application

Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of May 25, 2011.

It is hereby noted for the record that discussion and action regarding this matter took place earlier in the agenda.

Prior to the vote taken, Ms. Gaspar stated that she was "happy" for Mr. Raiola and explained that although Senators Reed and Whitehouse have helped others no one has helped her.

Ms. Gaspar also informed the Council that she is of the opinion that the "toxic water" has affected her health and that the situation is "very serious."

Ms. Gaspar stated that she did not wish to reveal any of her personal finances and that the CDBG-DR grant program "wasn't for me."

Ms. Gaspar stated that the Town is responsible for all of her problems and that she called Councilwoman Parella and Councilman Teixeira and that it is "now time to get down to business and enough is enough."

Ms. Gaspar stated that she has "always been very polite" and she is "not a vicious person."

Council Chairman Marshall stated that the Council is doing everything in its power to help Ms. Gaspar with her situation.

Ms. Gaspar informed the Council that she told her contractor to "hold back" and that her son is "taking care of the pool man since you are at their mercy."

Council Chairman Marshall reminded those present that the resolution of the Raiola matter was a collaborative effort of many individuals and agencies.

Ms. Gaspar suggested that the reservoir functionality needs repair. She thanked Councilwoman Parella for helping with her situation.

Councilwoman Parella stated that she appreciates Ms. Gaspar's patience and that the matter "has been very

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trying." She noted that Ms. Gaspar is looking for remediation from the March floods of 2010 and also the long-term Tanyard Brook issues. Councilwoman Parella also stated that the Council anticipated that Garfield Avenue would be included in the Tanyard Brook Phase I project and would like to know why it may not be included.

2. Carol Blais, 129 Bradford Street - request for a handicap parking space in front of residence, **2nd reading**

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

3. David W. Piccerelli, President and CEO, Rhode Island PBS re proposed closure of the Bristol public access studio

Barboza/Herreshoff - Voted unanimously to continue this matter until the meeting of May 25, 2011.

Barboza/Herreshoff - Voted unanimously to instruct the Clerk to correspond with the Division of Public Utilities and Carriers specifically requesting that any hearings concerning the future of the Bristol public access studio should be held in Bristol County and also held during the evening hours.

Prior to the votes taken, Mr. Piccerelli addressed the Council and explained that had he known that an item concerning the Bristol public access studio was on the previous meeting agenda he would have planned to be in attendance.

Mr. Piccerelli also explained that he took exception to the testimony provided by Mr. Davis at the previous meeting in that he never altered any of the statistical data and that he took "extreme offense" at any suggestion that he may have done so.

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He added, for the record, that the decision to consolidate operations and close the Bristol studio was based upon the facts relative to the use of same.

Mr. Piccerelli also objected to the assertion that the Bristol access coordinator is a "floating playback operator" and informed the Council that the person holding this position is a graduate of New England Tech and is a qualified access coordinator.

Mr. Piccerelli also asserted that his agency is in compliance with all FCC and Rhode Island applicable laws and that attendance at meetings and advertising and soliciting activity at the studio is not required.

Mr. Piccerelli also informed the Council that the Warren Town Council voted in favor of a public hearing concerning this matter and that the Barrington Council referred this matter to the Division of Public Utilities and Carriers. He added that the cable companies are required to provide access on their systems and that the companies are compliant by way of the various public access and statewide interconnect channels.

Mr. Piccerelli shared that it was determined in 2005 that it was "ridiculous" that both Verizon and Cox Communications should build duplicate studios and that the authority to provide oversight of same was delegated to the RI PBS Foundation for the nine (9) service areas in the State. He added that one of these service areas is Block Island and that there is no cable television on Block Island. He also added that Barrington, Bristol and Warren is its own service area and that this includes customers of Cox Communications since 2002 and prior to Cox the customers were served exclusively by Full Channel since the 1980s.

Mr. Piccerelli explained in detail the public access availability.

Mr. Piccerelli also explained his agency's reasoning for the closure of the Bristol studio and provided a spreadsheet, entitled "Bristol PEG Studio," with some data concerning same.

Mr. Piccerelli informed the Council that the cost to operate the Bristol studio is \$120,000 per year and that the funds used for this purpose will be allocated elsewhere in the future. He added that the cost for the operator and overhead is \$57,000 and that the person will be incorporated into the operations of the other studios.

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Mr. Piccerelli also noted that he considered incorporating the operation of the Portsmouth studio (Service Area 9) into the Bristol studio since the Bristol studio had better facilities but chose not to do so since that service area includes towns that are a far distance from Bristol and also that the Portsmouth studio is more centrally located to a combined Service Area 5 and 9.

Mr. Piccerelli noted that there has been some consolidation of other service areas in the past and that this particular consolidation is not unique.

Mr. Piccerelli reported that the three (3) producers who regularly use the Bristol studio will be using the Portsmouth studio in the future. He added that playback services will not be impacted but that the drop-off point will be relocated from the Bristol studio to a drop-off site in Bristol County this being planned as a "mailbox with a lock" and that producers will be allowed keys to the mailbox. He added that he was uncertain at this time as to the courier retrieval schedule for the mailbox.

Mr. Piccerelli reported that the playback studio for Service Area 5 will be included in the Portsmouth operations. He added that one of the local producers who does not use the studio but rather utilizes the borrowed filmmaking equipment suggested that Mr. Piccerelli might choose to enhance the availability of the portable equipment. He also added that he would plan to provide additional equipment for loan from the Full Channel studio and Bristol County producers will retrieve it from Warren rather than going to Portsmouth to claim the equipment. He also noted that he was "positive" FCTV will appreciate the donation of additional equipment for this purpose.

Council Chairman Marshall stated that he appreciates Mr. Piccerelli's presence at the meeting this evening and also his in-depth report. He asked to know if the RIPBS Foundation "inherited" or did it "seek-out" the studio responsibilities with Mr. Piccerelli reporting that his agency "inherited" these responsibilities from the General Assembly.

Council Chairman Marshall asked to know the source of the agency's funding with Mr. Piccerelli reporting that \$.48 from every cable-subscriber's bill - exclusive of those bills paid by subscribers of Full Channel - goes to support the agency.

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Council Chairman Marshall asked to know the total amount generated by the cable bills for the support of the agency with Mr. Piccerelli responding that this amount was approximately \$1.7 million per year.

Council Chairman Marshall informed Mr. Piccerelli that he "took exception" to some of the data provided on the spreadsheet.

A discussion ensued regarding the information provided on the spreadsheet with Council Chairman Marshall questioning the utilization of the Bristol studio as compared to the one in Portsmouth. Council Chairman Marshall noted that there were fourteen (14) studio tours noted during the years the studio was operated by Cox and that there have been none reported since that time with Mr. Piccerelli informing the Council that he was uncertain as to why there were no tours but speculated that perhaps no tours were requested during the more recent years.

Council Chairman Marshall noted that Bristol is a leader in "transparency" with it providing Town Council meetings live, etc. He also explained that the public is generally grateful for the availability of the Council meetings on television. He also added that the "ease" of the availability of these programs was an important component.

Council Chairman Marshall added that the East Bay offers a "multitude of festivities" and that these are available on television for public benefit. He added that he considers the elimination of the Bristol studio as a "step backwards" and although he is sympathetic to the idea of saving money, as a councilor he wishes to protect the interests of the county's constituents and also to assure that there is sufficient opportunity for announcements in emergency situations.

Council Chairman Marshall added that he considers the studio to have much potential and also that he is aware that the Mount Hope Bridge can be an impediment to the populations of either side.

Mr. Piccerelli stated his assurances that the level of service, emergency preparedness, etc., will not change. He added his willingness to "work with people" toward an equitable solution.

Councilman Barboza offered his thanks to Mr. Piccerelli for his presence this evening and noted that the existence of

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the Bristol studio appears to be "Bristol's best kept secret."

He added that he thought some of the information provided by Mr. Piccerelli was contradictory since it would appear to be of great importance to promote the studio that has cost the agency \$120,000 per year. He added that the public is generally unaware of the availability of the studio's facilities and that this lack of awareness was notably absent with the School Superintendent and the School Committee, both likely clients of the studio.

Councilman Barboza added that emergency personnel appear to be equally unaware of the availability of the studio and speculated that use of same would have been more frequent were these persons to become more aware.

Councilman Herreshoff asked to know the future of the Portsmouth and Providence studios with Mr. Piccerelli responding that there was no planned change for these.

Councilman Herreshoff expressed concern that if the Providence and Portsmouth studios were inundated with activity then the Bristol County customers would be somehow excluded with Mr. Piccerelli responding that the Portsmouth and Providence and also the Pawtucket studios have "plenty of capacity" and also that they can withstand a large influx of usage.

Councilman Herreshoff asked to know why the Bristol studio was targeted for closure with Mr. Piccerelli responding that the decision was made based upon the studio's low usage.

Councilman Herreshoff noted that the now defunct program "Bristol Press Conference" appeared on television for many years. He asked to know what might happen if someone wished to resurrect this program with Mr. Piccerelli responding that this program was produced at the Full Channel studio and could be again produced there.

Mr. Piccerelli added that current computer technology may make these studios obsolete since someone may now produce a television program on a home computer.

Councilman Herreshoff asked to know any other plans related to this proposed closure with Mr. Piccerelli explaining that once the matter is resolved he will try to have Cox move its public access channels from the analog to a digital tier which should improve the quality of the broadcast.

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Councilman Herreshoff stated that he recognizes that Mr. Piccerelli sees the matter of the studio usage as "a legitimate issue" but suggested that there still may be opportunity to increase utilization and usage of the services provided by the Bristol studio and asked that a "further test period" might be allowed.

Mr. Piccerelli responded that he would "like to think about it."

Council Chairman Marshall noted that there was likely a budget cut from State funding and asked if that cut was a factor in the decision to close the Bristol studio with Mr. Piccerelli responding that the State funding was not a relevant issue in this decision. Mr. Piccerelli added that he anticipates a 10% annual reduction in State funding as a matter of course.

Council Chairman Marshall asked to know if the \$.48 per cable bill is segregated with Mr. Piccerelli responding affirmatively and adding that the funds are managed by the Foundation which is a private foundation organized under Section 501 (c) (3) of the Tax Code.

Councilman Herreshoff asked to know if this Foundation operates with a deficit with Mr. Piccerelli responding that the operation runs "break-even."

Councilwoman Parella noted that the existence of the studio appears to be dictated by law and asked to know if there were any specific problems which may be a deterrent to its use with Mr. Piccerelli responding that there did not appear to be any deterrents.

Councilman Teixeira noted that the subject studio is large and perhaps more accommodating than the others nearby.

Council Chairman Marshall asked to know if there are pending issues with the building housing the Portsmouth studio with Mr. Piccerelli responding that his agency has just signed a five (5) year lease for the space occupied within that building.

Council Chairman Marshall expressed concern that Full Channel is "a small fish in a big pond" and noted that Full Channel could possibly opt-out of maintaining its studio that would leave the County at a disadvantage. He also noted that Cox promised to provide the same level of service vis-à-vis the studio when trying to get a "foot hold" in the County at the expense of Full Channel and then "opt-out" of

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the studio obligation at its first opportunity. Council Chairman Marshall speculated that if Full Channel "folds" the studio would "go-away" and the Town would be left to "the mercy of a drop-off mailbox in Warren."

Mr. Piccerelli explained that his agency can revisit the issue should the Full Channel studio cease to operate. He added that the Full Channel operation was good and appears to be successful - this being "a real testament to the management of Full Channel."

Council Chairman Marshall expressed concern that Mr. Piccerelli seemed to indicate the concerns raised by Bristol do not matter with Mr. Piccerelli responding that he is uncertain as to whether or not the Public Utilities authorities will grant his request after the public hearing.

Councilman Barboza stated that he would prefer that the public hearing be held in Bristol County and also during evening hours since few, if any, interested people will attend a daytime hearing held elsewhere.

Mr. Piccerelli stated that the location of the meeting would be at the discretion of the Public Utilities authorities.

Councilman Barboza asked Mr. Piccerelli if he was considering the idea of an extension of time with Mr. Piccerelli responding that he would like to have some time to contemplate the matter.

Councilman Barboza stated that he raised the issue to School Department administrators and found that there appears to be interest in utilizing the studio.

Council Chairman Marshall stated that Roger Williams University is interested in utilizing the studio also and the University's interest would be a boon for the PBS Foundation in general.

Councilman Herreshoff stated that he appreciates Mr. Piccerelli's dilemma but assured him that the Council's intent is to be constructive and that the current publicity may "enliven" interest in the studio.

Councilman Barboza asked to know when Mr. Piccerelli plans to make his decision with Mr. Piccerelli responding that he plans to send a letter to the Council within one (1) week.

Mike Davis informed the Council that he provided information at the last meeting in consideration of the report presented

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at that meeting by Mr. Crisman. He added that Mr. Piccerelli "castigated" him for thirty-eight (38) minutes for his comments shortly thereafter.

Mr. Davis reported that he did his research on the internet and relayed data provided by Mr. Piccerelli's agency. He added that the regulations cited are those of the FCC.

Mr. Davis explained that RIGL §16-61-6 and 16-61-2 "freed" the cable companies from their obligation to provide the access studios but requires that the cable companies must distribute the films provided on the certain public access channels. He added that it was formerly the responsibility of the cable companies to "make" programs and that this responsibility has been delegated to RIPTA (Rhode Island Public Telecommunications Authority) and that the RI Public Broadcasting Foundation is a private non-profit foundation charged with the studio responsibilities funded by the cable bill surcharge previously discussed.

Mr. Davis stated that when this matter surfaced three (3) months ago he assumed it was due to financial hardship but that the WSBE website seems to provide information to prove that he was mistaken since there is no apparent financial hardship.

He added that the funds available appear to be "abundantly sufficient" and that these funds (from the surcharge) are restricted for this purpose.

Mr. Davis explained that he was on a committee which helped draft Chapter 16 of the cable regulations relating to public access. He explained both the regulations. Mr. Davis also explained that there were to be no less than six (6) studios and that the one formerly in West Warwick was converted into a marketing center and the one located in East Providence was closed.

Mr. Davis also explained that the RIPTA has a responsibility to provide a studio and also that the Full Channel studio operates solely at the discretion of the Full Channel company.

Mr. Davis reviewed the regulations regarding the studio in detail and also described the hours of operation. He noted that the hours available at the Bristol studio were significantly less than those provided at the other studios.

Mr. Davis informed the Council that the RIPTA 2009 report seems to indicate the planned closure of the Bristol studio.

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He also informed the Council that he assumes that if the regulations were followed, the Bristol studio would be "as robust" as the others in operation.

Mr. Davis expressed concern that if the Library Director, High School Principal, Town Council members, Town Administrator, and Superintendent of Schools remain unaware of the studio then its whereabouts and information about its availability is also unknown by the public at large.

Mr. Davis noted that the Portsmouth and Pawtucket managers have their local studio access coordinator's cell phone number readily available. Mr. Davis stated that there appears to be "something dead wrong or awry" with the Bristol County access studio.

Councilman Barboza again stated that the studio and its facilities were "the best kept secret." He added his opinion that improved publicity regarding the studio should make it more readily used.

Brendan Kirby, a member of the audience, informed the Council that he has used the Bristol studio since 2003 and that he produces a comedy program. Mr. Kirby noted that the sign on the building was removed some time ago and that he was uncertain why the sign was removed. He also informed the Council that the studio is a "beautiful building" and although he can cross the Mount Hope Bridge to use studio facilities in Portsmouth, "it would be great" if the Bristol studio could remain open and available.

Artemis Ezikovich, another member of the audience, informed the Council that although she does not specifically use the studio, she utilizes the loan equipment that is available there. She also explained that she produces her public access program in a tight time-window due to her schedule and that it would be somewhat burdensome to have to go to Portsmouth to borrow equipment.

Anthony Arico, another member of the audience, asked that the studio might remain open and volunteered to help keep it do so. He informed the Council that "public access is important" and expressed concern that people will be "shut out" over time if local studios close.

Council Chairman Marshall stated that he appreciates the testimony heard this evening and hopes that the County does not lose the opportunity to have the studio available. He categorized the opportunity as "a sleeping giant." Council Chairman Marshall also suggested that a suitable sign might

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be placed on the studio building and that the studio's availability might be advertised more effectively.

4. Domenic Raiola, (45 Shore Road) - request to address Council re flood damage reimbursement

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

It is hereby noted for the record that discussion and action regarding this matter took place earlier in the agenda.

Prior to the vote taken, Mr. Raiola presented and read a letter of thanks and explained that he sent a copy of this letter to Senators Reed and Whitehouse also.

He also stated that he did not "feel right" to send the letter to the Council and not appear personally, but added that he was of the opinion that Senators Reed and Whitehouse would be too busy to meet with him personally.

Mr. Raiola stated that he appreciates that "FEMA and the Insurance Company" were "brought down" by the action of the various parties on his behalf and also that he received as much as he could get and that he was "very happy" with the money he received.

Council Chairman Marshall stated that he, too, was pleased that the matter was resolved to Mr. Raiola's satisfaction.

Councilman Herreshoff congratulated Mr. Raiola and stated that he was impressed that Mr. Raiola "never got mad" about the situation.

Mr. Raiola informed the Council that he never wanted to bring suit against the Town although his daughter who also appeared before the Council on several occasions wished to do so. He added that since he was a native Bristolian and worked for the Town for 43 years he "would not think of it (a lawsuit)."

Mr. Raiola stated that he would volunteer for the re-elections of Senators Reed and Whitehouse.

5. Gerry Turbeville, CDBG Program Manager re Block Grant for FY 2011
 - a. Community Development Block Grant projects and programs

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- b. Resolution re authorization for Town Administrator Mederos to file CDBG application

Barboza/Parella - Voted unanimously to adopt the resolution as prepared and presented.

Prior to the vote taken, Ms. Turbeville reviewed the CDBG request and explained that the portion of the budget allocated to the Micro Enterprise Grant was a program to benefit low to moderate income business owners.

- 6. Councilman Teixeira re Personnel Board; call for meeting and job descriptions per Town Charter amendment

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

Prior to the vote taken, the Clerk reported that the Personnel Board plans to meet on either May 9 or May 23 due to members' schedule issues.

- 7. Town Administrator Mederos re tree removal policy

Barboza/Teixeira - Voted unanimously to continue this matter until the meeting scheduled for June 15, 2011.

Prior to the vote taken, Town Administrator Mederos provided a handout which outlined a draft policy.

Councilman Barboza asked to know when Town Administrator Mederos plans to meet with the Tree Warden concerning this matter with Town Administrator Mederos responding that the meeting was not yet scheduled but that it would be in the near future.

Councilman Herreshoff suggested that the policy and/or new ordinance might specify a fine for non-compliance.

Council Chairman Marshall suggested that the Solicitor may wish to include a provision that would indemnify the Town should a nearby property owner request firewood from a cut tree.

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Town Administrator Mederos explained that she would have a further report concerning this matter at the June meeting.

8. Judy Anderson, Chairman, Historic District Advisory Commission, et al re request to schedule a workshop in order to discuss proposed recommendations

Parella/Barboza - Voted unanimously to schedule a special meeting/workshop to be held on May 18, 2011 including the Historic District Commission, the Historic District Advisory Commission and the Council.

Prior to the vote taken, Councilman Barboza commended the Commission for its report summary.

Council Chairman Marshall asked to know if the Historic District Commission had yet received the report with Councilwoman Parella reporting that the Commission agreed that it should report to the Council first and that a workshop might be arranged for the various parties to review the document in detail.

Ms. Anderson informed the Council that she had a "wonderful time" working on the report and that she hopes the report is well-received and that she is "glad that it is over."

Councilman Barboza congratulated Councilwoman Parella for her hard work and participation on this Commission on behalf of the Council.

Councilwoman Parella stated that the report was a group effort and also that Ms. Anderson did a good job organizing the Commission's work and that everyone on the Commission "shared the load." Councilwoman Parella added that she was of the opinion that the recommendations included in the report are worthy of further consideration.

After the vote taken, Council Chairman Marshall suggested that a copy of the report should be provided to each member of the Historic District Commission.

The Council also agreed that the Clerk might be allowed to set interviews for the same evening as the scheduled special meeting/workshop.

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9. Director of Community Development Williamson re Downtown Public Building Committee

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

Prior to the vote taken, Director of Community Development Williamson referred to her memorandum and explained that the Historic District Commission has not yet appointed a member for the Committee.

Town Administrator Mederos reported that the Committee, as configured, appears to be a reasonable and workable size.

Council Chairman Marshall suggested that Councilwoman Parella should continue as a member of the Committee with Councilwoman Parella agreeing to do so.

Town Administrator Mederos agreed to keep the Council "in the loop."

Councilwoman Parella suggested that the Council may wish to provide for a "student intern" in order to staff and "manage" the Committee. The Council also agreed that this Committee should be an "administrative" committee under the auspices of the office of the Town Administrator.

BB. SPECIAL /STATUS REPORTS

1. J. Alan Crisman, Executive Director, Center for Economic Development re report providing purpose, strategic plan, and progress to date of the Center

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

Prior to the vote taken, Mr. Crisman stated that this report was in response to the Council's request to learn what the "Center for Economic Development" is doing and that he tried to be brief in this report. He added that the Center is an "offshoot" of the now gone Mt. Hope Enterprise Zone and he is concerned about business education and workforce development and that these must be integrated.

He added that he uses Bristol as a "laboratory," as explained in the report and that this experiment might evolve into a plan for regional economic development.

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Council Chairman Marshall stated that he has the "longest and closest relationship" with Mr. Crisman. He added that he can "attest to the many facts" regarding Mr. Crisman's economic development activities including the securing of a Federal SBA loan for Jamiel's Shoe World and his facilitation of the redevelopment of the Cutler Mills in Warren, the establishment of a Fed-Ex operation in Warren and working with Tillitson-Pearson, also in Warren.

Council Chairman Marshall reported that Mr. Crisman worked with St. Gobain on its worker placement activities and also provided service in assistance to Barry Plastics, Hallspars, and Jamestown Distributors.

Council Chairman Marshall added that he finds Mr. Crisman to be a valuable resource to Bristol and Warren and it should be "incumbent" upon Council members to keep in communication with Mr. Crisman's office in order to know what he is working on. He also added that he believes that Mr. Crisman is "doing well" albeit that he may not be able to reach all businesses.

Mr. Crisman reported that he is now working with thirty to forty (30-40) companies and that this work sometimes includes mentoring. He added that it is sometimes necessary for him to keep his actions "close to the vest" in order to respect companies' confidentiality issues.

Councilman Herreshoff stated that he was of the opinion that Mr. Crisman's report was "good and helpful" and suggested that Mr. Crisman may wish to prepare a brief "white paper" on the various issues relating to some of these companies and that he should do so in a way to protect confidentiality if this remains an issue.

Councilman Herreshoff further suggested that Mr. Crisman's "white paper" should consider ways in which the Town may take action in order to strengthen these companies since some may be "hanging on the edge" and also that it is generally easier to retain existing companies rather than attract new ones.

Mr. Crisman reported that in his 17 years he has built a network relationship with brokers. He expressed concern that building regulations, etc., can be a deterrent to businesses relocating in Bristol.

Councilman Herreshoff noted that regulations always seem to increase and never decrease. He asked Mr. Crisman to

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include any ideas regarding regulations in the "white paper."

Councilman Teixeira explained that he questioned the importance of Mr. Crisman's position since he had not previously seen any reports.

Councilman Teixeira asked if there is an overlap of services provided by the State Department of Labor and Training and also Mosaico.

Council Chairman Marshall reported that the funds provided for workforce development to Mosaico benefits only those in low to moderate income levels. He added that the workforce development originally part of the Mt. Hope Enterprise Zone was "shifted" to Mosaico for those with low to moderate income levels.

Mr. Crisman invited Councilman Teixeira to his office to discuss the situation in more detail if he wished to do so.

Councilman Teixeira expressed concern that there still may be some overlap of effort with Council Chairman Marshall explaining that Mr. Crisman was recently appointed to serve on the Mosaico board in order to prevent any overlap of effort.

Councilwoman Parella suggested that Mr. Crisman should be "freed" of the workforce development piece in order to be able to concentrate on bringing in and retaining businesses.

Mr. Crisman informed the Council that he wishes to fund the workforce development function with grant funding with Councilman Teixeira stating that these same steps are being followed by Mosaico already for the low to moderate income level.

Mr. Crisman volunteered to show Councilman Teixeira where the steps were not being followed.

Councilwoman Parella stated that the job training program as described by Mr. Crisman appears to be a new concept. She added that she found this to be interesting since it is "a little bit" different than what has been traditionally done.

Mr. Crisman stated that it is necessary that this be an integrated process and also one that is ongoing.

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Councilman Teixeira asked that he might see a list of the thirty to forty (30-40) companies which Mr. Crisman has worked with since June 1, 2010.

Mr. Crisman replied that he will provide this list. He added that some of these companies utilize his time on the telephone and also that he is networking on behalf of some of these companies.

Councilman Barboza thanked Mr. Crisman for his report.

C. PUBLIC HEARINGS

1. Luis M. Junco, d/b/a Countrywide Gold Buyers, 450 Hope Street - request for a Junk and Second Hand Dealer's License, **continued from March 9, 2011**

LATE ITEM

- a. Zoning Officer Tanner re Zoning Board of Review denial of special use permit

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

It is hereby noted for the record that this matter was considered concurrently with agenda item G1.

Prior to the vote taken, Town Solicitor Ursillo informed the Council that it does not appear to have any jurisdiction on this matter since the Zoning Board has denied the special use permit.

D. ORDINANCES

1. Ordinance #2011-01, CHAPTER 17, Offenses and Miscellaneous Provisions, Article I, In General, Section 17-10, Holiday sales, (\$25 late application filing fee), **2nd reading for adoption, continued from February 16, 2011**

Barboza/Parella - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-01. Advertise in local newspaper.

2. Ordinance #2011-02, CHAPTER 15, Junk, Secondhand and Antique Dealers, Article II, License, Section 15-37, Application, (\$25

late application filing fee), **2nd reading for adoption, continued from February 16, 2011**

Barboza/Parella - Voted to consider this action to constitute the second reading for adoption of Ordinance #2011-02. Advertise in local newspaper. Voting in favor were Council members Barboza, Teixeira, Herreshoff and Parella. Council Chairman Marshall is recorded as recused.

3. Ordinance #2011-03, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, (eliminate Holiday Sales License fee and reduce Junk and Secondhand Dealers License fee, \$25 to \$10), **2nd reading for adoption, continued from March 9, 2011**

Parella/Teixeira - Voted to consider this action to constitute the second reading for adoption of Ordinance #2011-03. Advertise in local newspaper. Voting in favor were Council members Barboza, Teixeira, Herreshoff and Parella. Council Chairman Marshall is recorded as recused.

4. Ordinance #2011-05, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, (to remove one-hour parking restriction on Franklin and High Streets, adjacent to "Rescue Station"; repeals Ordinance 2010-19), **2nd reading for adoption**

Herreshoff/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-05. Advertise in local newspaper.

5. Ordinance #2011-06 (**Version I**), CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times and

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Section 16-146, Parking time limited in designated places, (to allow 10-minute parking in front of OLMC School during school days, also removes no parking restriction in front of Walley School), **2nd reading for adoption**

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

Prior to the vote taken, the Clerk explained that there were two different versions of this ordinance presented for consideration and that the Version II was more in keeping with the original intent of the petitioner. He noted that Version I should be voted if the Town Solicitor determines if the amendment as reflected in Version II was substantive.

Town Solicitor Ursillo reported that Version II did not contain a substantive change and could therefore be considered for second reading for adoption.

6. Ordinance #2011-06 (**Version II**), CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times and Section 16-146, Parking time limited in designated places, (modification to Version I; limiting the 10-minute parking restriction to between the hours of 8AM-4PM), **2nd reading for adoption**

Herreshoff/Barboza - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-06, as amended. Advertise in local newspaper.

7. Ordinance #2011-07, CHAPTER 10, Environment, Article II, Noise, Section, 10-35, Exception from article provisions, **1st reading**

Barboza/Herreshoff - Voted unanimously to delete both provisions allowing for a +5dBA and to consider this action to constitute the first reading of

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Ordinance #2011-07. Advertise in local newspaper.

Prior to the vote taken, a discussion ensued regarding the +5dBA with the Council in agreement to remove this.

Councilman Barboza noted that Karen Binder was in attendance and that the consensus of the group was to make the change to lower the sound limit.

Councilwoman Parella stated that the ordinance is not a substitute for common sense on the part of any of the various factions.

Councilman Teixeira asked to know if this ordinance impacts Linden Place with the Clerk noting that this ordinance considers only the HPC Zone and that Blithewold, Mount Hope Farm and the RI Veterans Home are the only HPC zoned properties in Town.

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for May, 2011

(CA) F. APPOINTMENTS

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

1. Public Service Appointments
 - a. Board of Tax Assessment Review - Alternate Members (2) (to serve staggered terms of three years)
 1. Council Clerk Cirillo re recommendation of John E. Faria, Chairman, Democrat Town Committee to appoint Gerald Mederos, 382 Wood Street

Councilman Barboza nominated Gerald Mederos as recommended by Mr. Faria.

There were no further nominations.

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Barboza/Teixeira - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Mederos for a pro-rated three-year term with term to expire in December 2013.

- b. Capital Project Commission (4 regular members) (to serve initial one, two, three, and four-year staggered terms) (1 alternate member) (term TBD), **continued from March 9, 2011**

- 1. Assistant Town Solicitor Letendre re alternate appointment term to serve

Parella/Teixeira - Voted unanimously to consider these appointments after the candidate interviews are completed.

- c. Bristol County Water Authority (term to expire in February 2014), **continued from April 13, 2011**

Parella/Barboza - Voted unanimously to consider this appointment after the BCWA performance audit is received.

- d. Police Pension Fund - Board of Trustees (to fill vacancy, term to expire in April 2014)

- a. Frederico Pacheco, 555 Metacom Avenue - interest/appointment

Councilman Herreshoff nominated Mr. Pacheco for appointment.

There were no further nominations.

Herreshoff/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Pacheco with term to expire in April 2014.

G. LICENSING BOARD - NEW PETITIONS

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1. Luis M. Junco, d/b/a Countrywide Gold Buyers, 450 Hope Street - request for a Junk and Second Hand Dealer's License, **continued from March 9, 2011** (see agenda item C1 also)

It is hereby noted for the record that this matter was considered concurrently with agenda item C1.

2. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Victualling License, **continued from April 13, 2011**

LATE ITEM

- a. Zoning Officer Tanner - legal opinion of Assistant Town Solicitor Teitz re permitted use

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of May 25, 2011.

Prior to the vote taken, Council Chairman Marshall expressed concern that the petitioner sells products that may be inappropriate in consideration of its proximity to an elementary school. Councilman Herreshoff agreed with Council Chairman Marshall.

Council Chairman Marshall suggested that Council members should visit the store on Wood Street which is operated by these same petitioners in order to become familiar with the operation.

Town Solicitor Ursillo suggested that the matter should be continued in anticipation of a "white paper" from his office concerning the applicant's petition.

3. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Holiday Sales License, **continued from April 13, 2011**

LATE ITEM

- a. Zoning Officer Tanner - legal opinion of Assistant Town Solicitor Teitz re permitted use (see agenda item G2a)

Barboza/Herreshoff - Voted unanimously to continue this matter

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until the meeting of May 25, 2011
as per agenda item G2 above.

4. Marie Mauricio for St. Elizabeth Church/Holy Ghost Committee, 577 Wood Street - request for a One-Day Dancing and Entertainment License on June 10, 11 & 12, 2011

- a. Recommendation - Town Administrator and Chief of Police

Teixeira/Barboza - Voted
unanimously to grant this license
per the recommendations received
and subject to conformance to all
laws and ordinances and payment of
all applicable fees, taxes, and
levies.

5. John Medeiros for St. Elizabeth Church/Holy Trinity Committee, 577 Wood Street - request for a One-Day Dancing and Entertainment License on June 17, 18 & 19, 2011

- a. Recommendation - Town Administrator and Chief of Police

Teixeira/Barboza - Voted
unanimously to grant this license
per the recommendations received
and subject to conformance to all
laws and ordinances and payment of
all applicable fees, taxes, and
levies.

6. Berta Raposo for St. Elizabeth Church/Santo Cristo Committee, 577 Wood Street - request for a One-Day Dancing and Entertainment License on June 24, 25 & 26, 2011

- a. Recommendation - Town Administrator and Chief of Police

Teixeira/Barboza - Voted
unanimously to grant this license
per the recommendations received
and subject to conformance to all
laws and ordinances and payment of
all applicable fees, taxes, and
levies.

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7. James L. Toppa, d/b/a Sub Station #1, 271 Wood Street - request for transfer of BV Ltd. Intoxicating Beverage License to Joseph E. DeFeo, Jr., d/b/a Wiseguys, **call for a public hearing**

Barboza/Teixeira - Voted unanimously to call for a public hearing regarding this matter for Wednesday, May 25, 2011 beginning at 7:00 o'clock PM in the Town Hall, Council Chambers. Advertise in local newspaper.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

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

1. Water Pollution Control Superintendent Calderiso - Sewer Permits
2. Public Works Director Serbst - Road Cut Permits

J. PETITIONS - OTHER

1. Scott Talbot, 5 Reid Street - request to prohibit parking across from driveway opening at 5 Reid Street
 - a. Recommendation - Director of Public Works
 - b. Recommendation - Town Administrator and Chief of Police

Barboza/Teixeira - Voted unanimously to instruct the Town Solicitor to prepare an ordinance proposal in consideration of the request.

2. Waylon Whitley for St. Michael's Church, 399 Hope Street - request to hold a one-day event, exhibiting art on the fence, June 4, 2011 (rain date, June 11, 2011)

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- a. Recommendation - Town Administrator and Chief of Police

Barboza/Teixeira - Voted unanimously to grant this petition per the recommendations received and subject to payment of all applicable fees, taxes, and levies.

- 3. John A. Maciel, P.O. Box 227, Bristol re claim for personal injury

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

- 4. Helga Piccoli for Bristol Art Museum at Linden Place, Hope and Wardwell Streets - request to hold a one-day event ("Art al Fresco"), exhibiting art on the fences, July 31, 2011 (rain date, August 7, 2011) and also to have signs posted, prohibiting parking between 8:00 AM and 10:00 AM

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Teixeira - Voted unanimously to grant this petition per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

- 5. Director of Community Development Williamson re Animal Shelter Capital Project Committee request for consideration of the abandonment of a portion of the "unnamed paper street," extending from Metacom Avenue, etc.

Herreshoff/Teixeira - Voted unanimously to place this matter upon the table pending a Council workshop to be scheduled to discuss same.

Prior to the vote taken, Council Chairman Marshall suggested that the Council should have a workshop to discuss Animal Shelter issues.

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Councilman Herreshoff noted that the Council and Capital Project Committee should consider the project as its functionality relates to the available finances.

Director of Community Development Williamson noted the request to consider abandonment of the paper street is to make more buildable land available.

Councilman Herreshoff expressed concern that the Council's willingness to consider this matter may provide unintended encouragement.

Police Chief Canario stated that he understands the limitations of the funding available and considers this request a "tying of loose ends."

Councilman Herreshoff suggested that the workshop might include a "field trip" to the subject area.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Councilman Teixeira re Town vehicles; usage and markings

Teixeira/Herreshoff - Voted
unanimously to continue this matter
until the meeting of May 25, 2011.

Prior to the vote taken, Councilman Teixeira stated that he assumes the Town Administrator oversees the usage of Town-owned vehicles and asked to know how many of these are taken home by their assigned operators.

Town Administrator Mederos responded that approximately nine (9) vehicles are taken home as a matter of course and asked Councilman Teixeira what he would specifically wish to learn.

Councilman Teixeira requested a report concerning who may take home vehicles. He also noted that some of the DPW vehicles do not appear to be "marked" and asked to know the reason for the lack of Town markings on these.

Town Administrator Mederos agreed to prepare a report and provide same in time for the next regular Council Meeting.

2. Director of Community Development Williamson re Community Development Block Grant - Disaster Relief (CDBG-DR)

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- a. Community Development Block Grant - Disaster Relief (CDBG-DR) projects
- b. Resolution re authorization for Town Administrator Mederos to file CDBG-DR application

Parella/Teixeira - Voted unanimously to support this application and adopt this resolution as prepared and presented.

Prior to the vote taken, Director of Community Development Williamson reported that this application will consider some of those flood-related projects not previously funded these including the Church Street Armory and the Tanyard Brook.

L. BILLS & EXPENDITURES

- 1. Bid #726 - Tanyard Brook Culvert Replacement Project

Herreshoff/Barboza - Voted unanimously to ask Town Administrator Mederos for an advisory opinion and to receive back these bids for further consideration and possible action.

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

HK & S Construction Holding	Newport, RI	\$2,937,574.00
C. B. Utility Co.	Bristol, RI	\$3,151,758.00

A discussion ensued regarding a capital project committee with Town Solicitor Ursillo responding that it appeared this project would be subject to the new Capital Project Commission rules.

A further discussion ensued regarding the appointment of the Capital Project Commission with the Clerk reporting that he is in receipt of several applications but the interviews have not yet been scheduled due to the Council's limited time availability.

Council Chairman Marshall suggested that the Council should participate in the evaluation of the bids due to the

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criticality of the project with Town Administrator Mederos explaining that she was comfortable with the Council making a determination on the bid award.

Councilman Herreshoff asked to know if there was a large pool of applicants requesting to serve on the Capital Project Commission with the Clerk responding that there were four (4) applicants and that he was informed that one of the applicants has reconsidered and may wish to withdraw his application.

Councilman Herreshoff suggested that the Council may wish to again advertise for applicants in order to have a full pool of applicants from which to select the Commission.

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, April 29, 2011

P. PROCLAMATIONS & CITATIONS

1. Commendation - Mt. Hope High School Freshman Football Team, 2010 Division II East & State Championship

Herreshoff/Teixeira - Voted unanimously to adopt this commendation as prepared and presented.

2. Commendation - Mt. Hope High School JV Girls Soccer Team - 2010 1st Place Division II JV Championship

Herreshoff/Teixeira - Voted unanimously to adopt this commendation as prepared and presented.

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED (to be received and filed by Council)

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

(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. E. Keith Maloney, Chairman, Economic Development Commission and Council Chairman Marshall to Gov. Lincoln D. Chafee, et al re proposed sales tax changes
2. Little Compton Resolution re support of House Bill 5804 to amend RIGL §17-11-1, removing the limit of 1900 voters per polling place
3. Resolution re lease-purchase agreement(s) authorization for replacement of Engine 1 (adopted April 13, 2011, signed copy)
4. Portsmouth Resolution re support of proposed amendments to RIGL §16-7-44, allowing interest payments to be included in school housing project costs for communities with strong financial standing
5. Portsmouth Resolution re support of legislative amendments to protect Rhode Island cities and towns and their public officials/employees
6. (Bristol County Water Authority) re BCWA in the News, Miscellaneous Correspondence April 2011
7. Town Administrator Mederos to Coastal Recycling, Inc. of Forestdale, RI re award of Bid #728 - Solid Waste Transfer Station and Special Waste Area Material Hauling Service Contract
8. Town Administrator Mederos to Brigham Industries, Inc. of Paxton, MA re award of Bid #729 - Fire Fighter Gear Washer/Extractor

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9. Dog Kennel License Renewal petition re Allison Barr, d/b/a Allison's Pampered Pets, 7 Michael Drive (granted April 13, 2011)
10. Town Administrator Mederos to F & S Electric, Inc. of Bristol, RI re award of Bid #731 - Replacement of Light Fixtures (Wastewater Treatment Plant and Compost Facility)
11. Owen Heleen, Vice President for Grant Programs, The Rhode Island Foundation to Town Clerk Cirillo re award of grant for the purpose of restoring Bristol Probate Court Records - Inventory Book #5
 - a. Town Clerk/Probate Court Clerk Cirillo to Owen Heleen re thank you for award of Joseph O'Neill Ott Fund Grant #20110437

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

Prior to the vote taken, Councilman Barboza congratulated the Clerk upon his receipt of this grant. The Clerk responded that although the amount of the grant is relatively small, it represents a very prestigious award in the State. He added that the grant also considers the Council's ongoing commitment to records preservation.

The Clerk further reported that Inventory Book 5 is of importance to the State in general since it contains the probate inventory of Joseph M. Blake, a Bristol resident who was an early Attorney General. The Clerk also explained that The Honorable Joseph M. Blake had an extensive library and the contents of the library are carefully listed in the inventory of his estate.

12. Council Clerk Cirillo to Town Board, Commission, and Committee members re Board Member decorum
13. Council Clerk Cirillo to David Piccerelli, President and CEO, Rhode Island PBS re objection to closure of the Bristol public access studio
14. Helga Piccoli, Treasurer, Bristol Art Museum at Linden Place re thank you for support

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15. John Rosenow, Chief Executive, Arbor Day Foundation to Town Administrator Mederos re recognition of Bristol on being named a Tree City USA community
16. Rhode Island Interlocal Risk Management Trust re Trust Ownership Participation Share (TOPS) dividend - Worker's Compensation Pool
17. Rhode Island Interlocal Risk Management Trust re Trust Ownership Participation Share (TOPS) dividend - Property/Liability Pool
18. Coastal Resources Management Council - May 2011 Calendar
19. Angelo Liberti, P.E., Chief, Surface Water Protection, RIDEM, Office of Water Resources to Town Administrator Mederos re Water Quality Certificate - Town of Bristol Harbor Management Plan (WQC File No. 05-009)
20. Coastal Resources Management Council - Notice of Rescheduling of Public Hearing
21. Coastal Resources Management Council - Notice of Hearing Date and Location Change Only
22. Warrant - Jerome A. Squatrito, Planning Board
23. Warrant - Charles Millard, Planning Board

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

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

1. Historic District Advisory Committee - April 14, 2011
2. Bristol County Water Authority - Board of Directors, April 13, 2011
3. Bristol County Water Authority - May 2011 Meetings
4. Bristol Warren Regional School District - Schedule of Meetings, Week of April 18, 2011

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5. Historic District Advisory Committee - April 25, 2011
6. Bristol Warren Regional School District - Schedule of Meetings, Week of April 25, 2011
7. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, April 25, 2011
8. (Bristol Warren Regional School Committee) - Personnel/Contract Negotiation Subcommittee, April 25, 2011
9. Bristol Warren Regional School Committee - April 25, 2011
10. Building Code Board of Appeals - May 11, 2011
11. North and East Burial Grounds Cemetery Commission - May 2, 2011
12. Redevelopment Agency - April 28, 2011
13. Historic District Commission - May 5, 2011 (revised)
14. Historic District Advisory Committee - April 28, 2011
15. Bristol Warren Regional School Committee - Policy/Community Affairs Subcommittee, May 2, 2011
16. State Street Dock Upgrade Committee - May 5, 2011
17. Conservation Commission - May 2, 2011

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Thank You Mike Davis - Council Chairman
Marshall thanked Mr. Davis for filming this evening's meeting and also for his "great testimony" in consideration of the Bristol public access studio.

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b. Terrorism - Council Chairman Marshall noted the termination of Osama Bin Laden and explained that this was the fulfillment of a goal of the government.

Council Chairman Marshall added that this action caused another terrorist mastermind to turn himself in and he (Council Chairman Marshall) also expressed optimism that these actions will allow the government to both uncover more of the terrorist threat and will be able to eliminate same with "a scalpel rather than a mallet."

2. BARBOZA

a. Fred Serbst Retirement - Councilman Barboza noted the retirement of Public Works Director Serbst and provided the thanks of the Council to Mr. Serbst for his years of service, calling Mr. Serbst inventive and an expert on improvising.

b. Budget Passage - Councilman Barboza noted that the Council approved the 2011-2012 Operating, etc., Budget and that the loss of State aid made the budget process more challenging than usual. He added that the Council and administration worked hard on the budget and that the end result was good and was fair to all parties. He added that he was proud of the result.

3. TEIXEIRA

a. Mount Hope Farm Day - Councilman Teixeira noted that May 14, 2011 is Mount Hope Farm Day and that those who wish to volunteer for work-projects, etc., should contact the Farm office.

b. Soup Groupies - Councilman Teixeira noted a program called "Soup Groupies" where 75 local merchants will be collecting funds on behalf of those in need. He added that there are approximately 1,000 families in the area in need of food assistance.

c. Mothers Day - Councilman Teixeira noted that Mothers Day is Sunday, May 8.

4. HERRESHOFF

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2011

a. Davis Testimony - Councilman Herreshoff thanked Mike Davis for his testimony concerning the closure of the Bristol public access studio.

b. Town Wide Clean-up - Councilman Herreshoff noted that the area adjacent to the Silver Creek retaining wall near Guiteras Memorial School was in need of cleaning with Town Administrator Mederos reporting that the Town Wide Clean-up is scheduled for Saturday, May 7 and that the area in question is slated for a work-crew on that day. It was also noted that those interested in participating in the Town Wide Clean-up should report to the Public Works building at 9:00 o'clock AM on May 7, 2011.

c. Building Boats - Councilman Herreshoff reported that there will be approximately twenty (20) students from Rhode Island School of Design and forty-five (45) students from the Landing School of Kennebunkport, Maine visiting Bristol to learn about building boats at the Herreshoff Marine Museum. It was suggested that J. Alan Crisman may wish to attend the activities since some of these students may be looking to join local boat-building manufacturers.

5. PARELLA

a. Herreshoff Museum Celebration - Councilwoman Parella noted the upcoming 40th Anniversary Gala.

b. Mothers Day, etc. - Councilwoman Parella noted the approaching Mother's Day holiday and also observed that there are many Confirmation and First Communion celebrations ongoing at this time of year. She extended the congratulations and best wishes to the participants.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Kevin McBride - Town Administrator Mederos announced that Kevin McBride will assume duties as the new Director of Public Works beginning on May 9, 2011, replacing retiring Director Fred Serbst. She noted that Mr. McBride is well acquainted with the Town having worked on many projects while employed with Caputo & Wick Engineers.

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Town Administrator Mederos added that Mr. McBride joins the administration at a "critical time" since the Town is embarking on the Hope Street and Tanyard Brook projects and that his engineering expertise will be of great value.

Town Administrator Mederos also added that the Town owes a great debt to Public Works Director Serbst who has been a valued contributor to the Town both as Director and also as a volunteer for many years.

CITIZENS PUBLIC FORUM

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Teixeira and voted unanimously, Council Chairman Marshall declared this meeting to be adjourned at 11:40 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk