

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 15, 2011

PRESENT: Marshall, Barboza, Teixeira, Herreshoff (arrived at 7:40 o'clock PM), and Parella

ALSO PRESENT: Michael A. Ursillo, Esq., Town Solicitor (arrived at 7:05 o'clock PM)

ABSENT: Diane C. Mederos, Town Administrator
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, June 15, 2011 in the Town Hall, Council Chambers beginning at 7:03 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall announced that he was in attendance at several events recently including the Mt. Hope High School Graduation, the Firefighters Memorial Sunday, and the Flag Day ceremonies on the Town Common.

Council Chairman Marshall explained that he would like to have the High School choral group and orchestra attend a future meeting and also congratulated Councilwoman Parella on her Firefighters Memorial address.

Council Chairman Marshall also announced that the Weaver's Cove/Hess LNG project has "pulled-out" and that this was due to the combined efforts of the Town of Bristol, the City of Fall River, Save the Bay, Save Bristol Harbor, and the many local cities and towns which joined in the opposition.

Council Chairman Marshall also credited the various federal and state officials and recognized Rep. Raymond E. Gallison, Jr., for their efforts in opposition to the Weaver's Cove project.

Town Solicitor Ursillo arrived at this point in the meeting (7:05 o'clock PM).

Council Chairman Marshall observed the Hess message that the "economics are not there" to support the project and he thanked Hess and Weaver's Cove for their decision.

Councilwoman Parella thanked all of those who remained steadfast through the many years of this opposition and also noted that numerous citizens supported the resistance with donations.

Council Chairman Marshall also observed that several local business owners "stepped up to the plate" to oppose new

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legislation which would have placed a fee or tax on debit card "swipes."

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Teixeira/Barboza - Voted
unanimously to approve the Consent
Agenda as presented.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Budget Workshop - March 23, 2011

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

2. Town Council Budget Workshop - March 24, 2011

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

3. Town Council Budget Workshop - March 28, 2011

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

4. Town Council Meeting - May 25, 2011

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

At the request of Councilman Barboza, the Council, by consensus, agreed to combine agenda items C1 and G1, G4 through G8 inclusive, and also D2 and K1 at the request of Councilman Teixeira.

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

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

1. Bristol Warren Regional School Committee -
April 25, 2011

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2. Bristol Warren Regional School Committee - May 9, 2011
3. Animal Shelter Capital Project Committee - April 27, 2011
4. Animal Shelter Capital Project Committee - May 12, 2011
5. Bristol County Water Authority - Board of Directors, April 13, 2011
6. Bristol County Water Authority - Public Relations/Personnel Committee, May 18, 2011
7. Bristol County Water Authority - Audit Finance Committee, May 18, 2011
8. Bristol County Water Authority - Engineering Committee, May 18, 2011
9. Board of Fire Engineers - May 31, 2011
10. Bristol County Water Authority - Board of Directors, May 26, 2011
11. Bristol County Water Authority - Engineering Committee, June 1, 2011
12. Bristol County Water Authority - Public Relations/Personnel Committee, June 1, 2011
13. Bristol County Water Authority - Audit Finance Committee, June 1, 2011
14. Historic District Commission - May 5, 2011
15. Zoning Board of Review - May 2, 2011
16. Harbor Commission - June 6, 2011

B. OLD BUSINESS

1. Town Administrator Mederos re tree removal policy, **continued from May 4, 2011**

LATE ITEM

- a. (Town Administrator Mederos) Tree Care and Maintenance Policy

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Barboza/Teixeira - Voted
unanimously to accept this policy
as prepared and presented.

After the vote taken, Councilman Teixeira asked to know if tree removals are billed separately or at an annual contract price. Town Treasurer Goucher reported that she was not certain but that she would provide this information to Councilman Teixeira.

2. Councilwoman Parella re Garfield Avenue (Mary Gaspar), **continued from May 25, 2011**

LATE ITEM

- a. Mary Gaspar, 24 Garfield Avenue re claim for property damage (24 Garfield Avenue and 3 Woodlawn Avenue)

Barboza/Teixeira - Voted
unanimously to refer this matter to
Town Solicitor Ursillo and to
anticipate a report from the
Solicitor by July 27, 2011.

Prior to the vote taken, Councilwoman Parella noted that Ms. Gaspar was present and that she has documents and invoices relating to the claim. Councilwoman Parella added that the figures do not include the anticipated cost to remove and reconstruct her garage.

Town Solicitor Ursillo stated that he had a conversation with Ms. Gaspar and also that he will bring these invoices to the attention of the insurance carrier.

Ms. Gaspar referred to the discussion regarding the contract for Tanyard Brook Phase I which took place at the Council meeting of May 25, 2011 and asked to know the anticipated scope of Contract IA.

Council Chairman Marshall reported that the current plan for Contract IA is to go from Walker's Cove across Wood Street.

Council Chairman Marshall added that the Town will likely know within fifteen (15) days regarding the status of this plan and also of Contract IB.

Ms. Gaspar referred to a 2008 *Bristol Phoenix* article which seems to indicate that there were sufficient funds to complete the entire project at that time.

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Council Chairman Marshall noted that the article was not totally accurate and that some of the funds were set aside for drainage projects and that the article assumes that all drainage funds would be devoted solely to the Tanyard Brook.

Councilwoman Parella noted that the amount of funds in the bond intended for drainage would never have covered the "multitude" of the Town's drainage projects. She added that the bond was intended to address only a portion of these.

Council Chairman Marshall stated that he was optimistic that the news will be favorable.

Ms. Gaspar informed the Council that "the reservoir must be cleaned." She added that former Town Administrator Parella looked and located a cave-in.

Ms. Gaspar also informed the Council that she has "another question" regarding her tenant at 3 Woodlawn Avenue. She added that the tenant's child was bitten by mosquitoes and also added that she observed "lots of flies and mosquitoes" on the porch of the residence and speculated that the catch basin near the Woodlawn Avenue property was harboring insects.

Council Chairman Marshall asked Public Works Director McBride to accompany him for an examination of this catch basin with Public Works Director McBride agreeing to do so.

Council Chairman Marshall added that the Town's mosquito abatement program was about to begin and perhaps that the area could be treated.

Ms. Gaspar informed the Council that she feared the mosquitoes.

Town Solicitor Ursillo stated that he would call Ms. Gaspar prior to the meeting to be held on July 27, 2011.

Ms. Gaspar thanked Councilwoman Parella for helping her collect her various documents and invoices.

Ms. Gaspar repeated that the catch basin was "covered with stuff" and was in need of cleaning.

Councilman Teixeira informed the Council that he viewed the catch basin and was in agreement with Ms. Gaspar that the catch basin was in need of cleaning.

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The Council, by consensus, agreed to bring agenda item J3 forward for discussion at this time. The discussion and resolution regarding agenda item J3 is found in-place below.

3. Anthony B. Morettini, 46 Highland Road, et al
- request for the closure of Ledge Road,
between Gibson and Forest Roads, on July 2,
2011 for Bristol Highlands Improvement
Association Centennial Celebration, **continued
from May 25, 2011**

- a. Recommendation - Town Administrator and
Chief of Police

Barboza/Teixeira - Voted
unanimously to grant this request
per the recommendation received and
subject to conformance to all
applicable laws and ordinances.

4. James Casalegno, (15 Acacia Road) - request
for consideration re the establishment of a
tax revaluation advisory committee, **continued
from May 25, 2011**

Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of July 6, 2011.

Prior to the vote taken, Town Solicitor Ursillo reported that the Council may appoint any "ad-hoc" committee at any time should it wish to do so.

Councilwoman Parella stated that she was of the opinion that Tax Assessor Spagnolo should participate.

Council Chairman Marshall suggested that the petitioner, Town Solicitor Ursillo and Tax Assessor Spagnolo should discuss this matter and recommend advisory committee participants to the Council.

5. Council Clerk Cirillo re Citizens' Advisory
Committee for cable television

Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of July 6, 2011.

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Prior to the vote taken, the Clerk informed the Council that he was still waiting for returned telephone messages and reviewing documents as provided by Mike Davis regarding the status/membership of the Advisory Committee. He added that there appears to be some interest also in studio usage.

Council Chairman Marshall informed the Council that the Wicked Late Show producer thanked the Council on his program for its work toward preserving the studio.

Councilman Teixeira informed the Council that he visited the studio and spoke with the coordinator. He added that the "Wicked Guy" was there at that time.

Councilman Teixeira reported that Mt. Hope High School personnel have expressed interest in studio usage also and that he anticipates that the school will be utilizing it in the future.

Mike Davis reported that the studio has expanded its hours and has become more accessible. Council Chairman Marshall explained that Mr. Davis was "instrumental" in the Council's efforts to keep the studio open.

BB. SPECIAL /STATUS REPORTS

1. Town Administrator Mederos re Department Head Reports
 - a. Police - January 20, 2011 through May 2011
 - b. Parks and Recreation - June 7, 2011
 - c. Building Inspection - January, 2011 through May 2011 inclusive
 - d. Fire & Rescue - FY 2010-2011 through May 2011
 - e. Public Works - January, 2011 through May 2011, inclusive
 - f. Human Services and Welfare - January, 2011 through May 2011

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

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Prior to the vote taken, Councilman Barboza commended the Council's super-majority for "doing the right thing" to allow for the hiring of new probationary police patrolmen in light of the reported police officer retirements.

Councilwoman Parella asked Lt. McNally (representing Police Chief Canario) if the Town has hurricane and tornado preparedness with Lt. McNally reporting that the Town relies upon the State's emergency preparedness agency for guidance and also that the police have protocols to react to the emergency. He added an example that the protocols include the "clearing" of sporting events and playgrounds in the event of a pending tornado.

Council Chairman Marshall commended Director of Community Development Williamson for her role in finding the grant funding to replace a 33-year-old furnace.

Councilman Herreshoff arrived at this point in the meeting (7:40 o'clock PM).

Council Chairman Marshall reported that the Quinta-Gamelin Center should be vacated by the end of the month. He added that the Town Beach area will be improved with trails funded through a State DEM grant.

Councilman Teixeira noted that these reports were very informative.

C. PUBLIC HEARINGS

1. Nancy Chace, d/b/a Sea Rose Cottage, 21 Constitution Street - request for a Junk and Secondhand Dealer's License (see agenda item G1 also)
 - a. Recommendation - Town Administrator and Chief of Police

It is hereby noted for the record that agenda item C1 was considered in combination with agenda item G1.

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

Barboza/Parella - Voted to grant the license per the recommendation received and subject to conformance to all laws and ordinances and

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payment of all fees, taxes, and levies. Voting in favor of this motion were Council members Marshall, Barboza, Teixeira and Parella. Councilman Herreshoff recused.

Prior to the vote taken, Council Chairman Marshall opened the public hearing.

Ms. Chace made herself available for any questions.

Harold W. Demopolos of 17 Constitution Street informed the Council that he is a neighbor of Ms. Chace and that he finds her to be a "wonderful neighbor." He also informed the Council that he is in agreement with Ms. Chace's plans and recommends that the license be granted.

There was no additional remonstrance presented in favor or in opposition to the petition.

2. Principal Planner Tanner re Stormwater Phase II, Year 6 (2009) Annual Report, **2nd reading for adoption**

It is hereby noted for the record that agenda item C2 was considered concurrently with agenda item C3.

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

Barboza/Parella - Voted unanimously to consider this action to constitute the second reading for adoption of the Stormwater Phase II, Year 6 (2009) Annual Report and also the Stormwater Phase II, Year 7 (2010) Annual Report as prepared and presented.

Prior to the votes taken, Council Chairman Marshall opened the public hearing.

There was no remonstrance presented in favor or in opposition to the adoption of these annual reports.

3. Principal Planner Tanner re Stormwater Phase II, Year 7 (2010) Annual Report, **2nd reading for adoption**

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It is hereby noted for the record that action regarding this matter is recorded above as part of agenda item C2.

D. ORDINANCES

1. Ordinance #2011-08, CHAPTER 16 Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-43, Parking prohibited at all times (Reid Street), **2nd reading for adoption**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-08. Advertise in local newspaper.

2. Ordinance #2011-09, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, (43) Mooring and docking fees, and (new) (76) Recreation department summer camp fee, **1st reading**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the first reading of Ordinance #2011-09, advertise in local newspaper; also to refer the matter of the dinghy racks to Town Solicitor Ursillo in order that he may draft an "administrative" ordinance regarding same.

It is hereby noted for the record that agenda item D2 was considered in combination with agenda item K1.

Prior to the vote taken, the Clerk noted that the matter of the regulations regarding the proposed rental arrangement of the newly installed dinghy racks will require some type of "administrative" ordinance since the amendment to the comprehensive schedule of fees provides only a basic fee structure for the rental.

(CA) E. BUDGET ADJUSTMENTS

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

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(CA) F. APPOINTMENTS

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

1. Public Service Appointments
 - a. Board of Tax Assessment Review - Alternate Member (term to expire in December 2012)
 1. Thomas M. Carroll, Chairman, Republican Town Committee re recommendation to appoint Carolyn Breslin of 7 Dana Road

Councilman Barboza nominated Ms. Breslin for appointment.

There were no counter-nominations.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Breslin with term to expire in December 2012.

After the vote taken, Tax Assessor Spagnolo reported that the members of the Board of Tax Assessment Review were pleased to have Ms. Breslin join their ranks.

(CA) 2. Public Service Appointments for July

G. LICENSING BOARD - NEW PETITIONS

1. Nancy Chace, d/b/a Sea Rose Cottage, 21 Constitution Street - request for a Junk and Secondhand Dealer's License (see agenda item C1 also)

It is hereby noted for the record that this item was considered in combination with agenda item C1 and the discussion and action is reflected above.

2. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Victualling License, **continued from May 25, 2011**

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Barboza/Parella - Voted unanimously to continue this matter until the meeting of July 6, 2011.

Prior to the vote taken, Council Chairman Marshall asked to know if the applicant had received all of the various permits with Director of Community Development Williamson reporting that the applicant had received some approvals from the Historic District Commission but that more details were needed before the Commission would provide complete approvals.

3. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Holiday Sales License, **continued from May 25, 2011**

Barboza/Parella - Voted unanimously to continue this matter until the meeting of July 6, 2011.

4. Tim McCloskey for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, June 26, 2011
 - a. Recommendation - Town Administrator and Chief of Police

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

It is hereby noted for the record that licensee petitions G4 through G8, inclusive, were considered simultaneously.

5. Tim McCloskey for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, July 3, 2011
 - a. Recommendation - Town Administrator and Chief of Police

Barboza/Teixeira - Voted unanimously to grant this license

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per the recommendation received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

It is hereby noted for the record that licensee petitions G4 through G8, inclusive, were considered simultaneously.

6. Tim McCloskey for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, July 17, 2011
 - a. Recommendation - Town Administrator and Chief of Police

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

It is hereby noted for the record that licensee petitions G4 through G8, inclusive, were considered simultaneously.

7. Tim McCloskey for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, August 14, 2011
 - a. Recommendation - Town Administrator and Chief of Police

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

It is hereby noted for the record that licensee petitions G4 through G8, inclusive, were considered simultaneously.

8. William E. Hill for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, July 24, 2011 (rain date, July 31, 2011)

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- a. Recommendation - Town Administrator and Chief of Police

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

It is hereby noted for the record that licensee petitions G4 through G8, inclusive, were considered simultaneously.

9. Joseph L. Pereira for Pet Foods Plus, 30 Gooding Avenue - request for a Holiday Sales License

- a. Recommendation - Town Administrator and Chief of Police

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

10. Michael J. Abbruzzi for 2nd Story Theatre, 28 Market Street, Warren - request for a Dancing and Entertainment License (for performances to be held at the Bristol County Statehouse/Court House, 240 High Street)

- a. Recommendation - Town Administrator and Chief of Police

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

Prior to the vote taken, Lynn Collinson, representing Mr. Abbruzzi informed the Council that the 2nd Story Theatre has formed a "beneficial collaboration" with the Statehouse Foundation and holds performances twice per year for approximately four (4) weeks.

A discussion ensued regarding parking issues with Ms. Collinson reporting that the staff and players are instructed to park in the Town Hall parking lots and away

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from the Town Common in order to alleviate parking congestion.

The Council informed Ms. Collinson that it would prefer to grant a license on an as-needed basis rather than allowing for a "blanket" license for one year at a time. Ms. Collinson stated that this was acceptable to her.

11. Madeline Grimo for Our Lady of Mount Carmel Church, Feast Committee - request for a One-Day Dancing and Entertainment License for event to be held on the Town Common, July 14 - 17, 2011

- a. Recommendation - Town Administrator and Chief of Police

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

12. Anthony J. Poissant, d/b/a Common Pub & Grille, 421 Wood Street - request for a One-Day Sunday Dancing and Entertainment License, July 3, 2011

- a. Recommendation - Town Administrator and Chief of Police

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

13. Rebecca A. Hanos, 7 Gorham Place, d/b/a Just Dogs - request to amend Hawkers and Peddlers License to allow for vending at Independence Park, June 22 - October 22, 2011

Barboza/Teixeira - Voted unanimously to grant this license per the details of the discussion and also subject to conformance to all laws and ordinances and payment

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of all applicable fees, taxes, and levies.

Prior to the vote taken, Councilman Teixeira asked to know the proposed location of the hot-dog cart with Ms. Hanos responding that she will place the cart as per the instruction of the Council.

Councilman Herreshoff asked to know the cart dimensions with Ms. Hanos responding that the cart is a typical New York City street hot-dog cart.

Councilwoman Parella suggested that Ms. Hanos may wish to locate under a tree.

Ms. Hanos informed the Council that she has secured permission from the Fourth of July Committee to vend during the concert series.

Councilman Barboza stated that he would prefer that Ms. Hanos locate somewhere nearby the "statue."

Council Chairman Marshall suggested that Ms. Hanos should not allow her cart to remain stationary.

Councilman Herreshoff suggested that the cart should not occupy the space within the ellipse but rather should be located on the outskirts of same.

14. Sebastian J. Wordwell, d/b/a Wood Street Café, 260½ Wood Street - request for a One-Day Sunday Dancing and Entertainment License, July 3, 2011

Barboza/Teixeira - Voted
unanimously to grant this license
subject to the receipt of a
positive recommendation from
administration and also subject to
conformance to all laws and
ordinances and payment of all
applicable fees, taxes, and levies.

- AMEND ITEM** 15. John DaSilva, d/b/a Up on the Roof Banquet Facility, 400 Metacom Avenue - request for a One-Day Sunday Dancing and Entertainment License, July 3, 2011

Barboza/Teixeira - Voted
unanimously to grant this license

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subject to the receipt of a positive recommendation from administration and also subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

- AMEND ITEM** 16. Council Clerk Cirillo re One-Day Sunday Dancing and Entertainment Licenses for July 3, 2011

Barboza/Herreshoff - Voted unanimously to authorize the Town Administrator to grant one-day dancing and entertainment licenses for July 3, 2011 only and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

H. LICENSING BOARD - RENEWALS

1. Public Laundry License renewals for 2011-2012
 - a. Recommendation - Town Administrator and Chief of Police

Teixeira/Parella - Voted unanimously to grant renewal of these licenses based upon the recommendation received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

2. Dancing and Entertainment License renewals for 2011-2012
 - a. Recommendation - Town Administrator and Chief of Police

- AMEND ITEM** b. Supplemental Dancing and Entertainment License renewal petitions

- LATE ITEM** C. Supplemental Dancing and Entertainment License renewal petitions

Parella/Teixeira - Voted unanimously to grant renewal of these licenses based upon the

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recommendation received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

3. Hawkers and Peddlers License renewals for 2011-2012
 - a. Recommendation - Town Administrator and Chief of Police

AMEND ITEM

- b. Supplemental Hawkers and Peddlers License renewal petitions

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

(CA) I. UTILITY PETITIONS

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

1. Department of Public Works - Road Cut Permits, **continued from May 25, 2011**

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

Prior to the vote taken, Public Works Director McBride reported that the incident in question involved a gas company road cut that was completed prior to the securing of permission from former Public Works Director Serbst. He added that Mr. Serbst's comments were intended to raise the attention of the gas company that the action was not acceptable.

Council Chairman Marshall asked what would be done "moving forward" with Public Works Director McBride responding that the utilities seem to follow the regulations most of the time but sometimes complete non-permitted work in non-emergency situations.

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Councilman Barboza asked to know if the Town could establish an ordinance to "put some teeth" into the regulations and perhaps impose a fine for non-conformance with Town Solicitor Ursillo agreeing to investigate same.

(CA) 2. Department of Public Works - Road Cut Permits

J. PETITIONS - OTHER

1. Constance A. DiSano, 65 Orchard Avenue, Barrington - claim for personal injury

Herreshoff/Barboza - Voted unanimously to refer this matter to the Town Solicitor and the Insurance Committee.

2. Dorothy Myslivy, 150 Franklin Street - claim for property damage

Barboza/Teixeira - Voted unanimously to refer this matter to the State Department of Transportation and the Town Solicitor.

3. Michael B. Siino, d/b/a Nacho Mamma's, 76 State Street - request to serve food outdoors (in driveway area) and also to extend the hours of liquor service indoors until 11:00 PM, June 23 - July 3, 2011

AMEND ITEM a. Recommendation - Town Administrator and Chief of Police

Parella/Barboza - Voted unanimously to grant this temporary expansion of food service and extension of hours as requested.

Prior to the vote taken, Councilman Barboza noted that there must be some misunderstanding since the petitioner agrees to serve a maximum of two drinks - per visit - to any one patron. He explained that the Police Department must have misunderstood the petition based upon its recommendation.

Councilman Barboza asked Mr. Siino if he plans to adhere to the conditions of his granted license in that he will not serve more than two alcoholic beverages to any one customer

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per visit with Mr. Siino responding that it would be his intention to abide by this agreement.

Councilman Barboza also asked to know if the property owner was in agreement with this temporary expansion of service with Mr. Siino responding that the landlord was in agreement.

4. Judith P. Squires for the Fourth of July Committee - request to operate a carnival on the Town Common, June 20 - July 5, 2011
 - a. Recreation Director Burke re use of Town Common
 - b. Recommendation - Town Administrator and Chief of Police

Herreshoff/Teixeira - Voted unanimously to approve the request and to send correspondence to the Fourth of July Committee in order to begin a dialogue to consider alternate locations of the carnival; this to be accomplished by the current and incoming Committee Chairmen and the Council.

Prior to the vote taken, Councilman Herreshoff made a motion to approve the petition since the Carnival's arrival was imminent. He added his concern that the Town Common currently looks very good and that the Carnival area becomes a "disaster" afterwards.

Councilman Herreshoff suggested that there should be some "brainstorming" to consider the potential of alternate locations for next year and beyond.

Councilwoman Parella noted that the Council imposed a security deposit for Carnival use some time ago and perhaps the amount should be increased.

Councilman Herreshoff suggested that the discussion should include the present and future Chairman of the Committee.

5. Lynn O'Connell, 375 River Road, Andover, Massachusetts - request for consideration re the issuance of a Church Street/State Street Dock Sticker

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AMEND ITEM

- a. Recommendation - Town Administrator and Chief of Police

Barboza/Parella - Voted unanimously to deny this petition and to provide the petitioner with a copy of the Police recommendation.

Prior to the vote taken, Councilwoman Parella noted that this was a "policy question." She asked Town Solicitor Ursillo if he knew of other similar cases with Town Solicitor Ursillo responding that the situation appears to be unique.

6. William Hicks, d/b/a The Knotty Dog, 31 Bradford Street - request for two 15-minute parking spaces in front of business, adjacent to driveways

- a. Recommendation - Town Administrator and Chief of Police

Barboza/Teixeira - Voted unanimously to refer this matter to the Town Solicitor so that he may draft an ordinance for Council consideration.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Domenic Franco, Chairman, Harbor Commission re recommendation to impose fees and administration as proposed for new dinghy racks at Independence Park and Union Street Beach

It is hereby noted for the record that discussion and action regarding this matter is recorded above as part of agenda item D2.

2. Director of Community Development Williamson re PentaView Collaborative proposal for Underground Utility Project - Exploration Phase Study

Barboza/Teixeira - Voted unanimously to continue this matter to the meeting of July 27, 2011 for further study and also to Director of Community Development Williamson

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so as to determine a potential source of funding.

Prior to the vote taken, Owen E. Trainor, III, a member of the Conservation Commission suggested that the Council may wish to hear from Ruven Liebhaber from PentaView.

A discussion ensued regarding the cost of the study with Town Solicitor Ursillo noting that the \$5000 amount may require a formal proposal process. Director of Community Development Williamson stated that this may fall under "professional services."

Council Chairman Marshall asked to know if there were any completed projects in the area with Director of Community Development Williamson responding "not yet."

Councilman Barboza asked to know if the Town has funds available for this study with Director of Community Development Williamson reporting that she may have to "reprogram" some of her budget to fund this project should the Council decide to go forward.

Mr. Leibhaber explained that he is working with the Town of Westerly and the Watch Hill community. He added that his study in a portion of Watch Hill became the basis for a "master plan" for an underground utilities project planned for the area.

Council Chairman Marshall noted that underground utilities may be a great benefit to the proposed marine trades route with Director of Community Development Williamson in agreement.

Councilman Herreshoff suggested that the study should be "practical" versus coming from an "ivory tower" approach.

Mr. Leibhaber stated that his approach is "step by step" and not theoretical.

Council Chairman Marshall asked if the project focus could consider the Franklin Street Corridor with Director of Community Development Williamson responding affirmatively and adding that Poppasquash Road may be considered also since utility poles pose a safety threat for evacuation should these block the road.

Council Chairman Marshall suggested that Director of Community Development Williamson should meet with Mr.

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Leibhaber and return at a subsequent meeting with a more clearly defined project.

Councilwoman Parella asked to know the anticipated cost for the Watch Hill project with Mr. Leibhaber responding that the project will cost \$750,000 for the first phase; \$800,000 for the second phase and approximately \$2 million more to complete.

Councilman Barboza asked to know the source of the funding with Mr. Leibhaber responding that much of the funding will come from private sources and that the town will provide some and investigate Federal and State grants.

Council Chairman Marshall asked to know if National Grid will participate with the funding with Mr. Leibhaber responding "no."

Councilwoman Parella asked to know if the transformers will be "obvious" with Mr. Leibhaber offering to guide the Council through the area in Watch Hill.

Councilman Barboza expressed concern that the Council might consider spending \$5000 on a study with no funding to pay for a project. He added that the Council's capital project priority is Tanyard Brook at this time.

Council Chairman Marshall suggested that the Council may wish to continue this matter and investigate funding sources.

Councilwoman Parella stated that there may be funds available for economic development.

3. Notice re 2011 Attorney General Open Government Summit to be held on August 5, 2011 at the Roger Williams University School of Law

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

4. Councilman Herreshoff re request for street name recognition

Parella/Teixeira - Voted
unanimously to refer this matter to
the Director of Public Works, Fire
and Police Departments and Town

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Administrator for a recommendation and continue said matter until the meeting of July 6, 2011.

Prior to the vote taken, Councilman Herreshoff asked the Council to consider an accommodation of the feeling of nostalgia regarding a now-defunct street name. He added that he did not advocate reinstating the original street name but rather would like to see a small sign to recognize the earlier name. He suggested that the sign might read "formerly Gooding Lane" and be placed in the vicinity of the official street sign at the junction.

Councilman Barboza expressed concern that the sign might be confusing and suggested that any nostalgic sign should be decidedly different from the official sign.

Councilwoman Parella suggested that a small plaque could be placed upon a nearby tree to commemorate the former street name.

Councilman Herreshoff agreed that the suggestions provided by Council members were worthy of consideration and asked for the opportunity to "brainstorm" with Director of Community Development Williamson regarding this matter.

Council Chairman Marshall suggested that the Police Department should be a part of the brainstorming.

5. Councilman Herreshoff re proposed limit of tax assessment increase

Herreshoff/Parella - Voted unanimously to continue this matter until the meeting of July 27, 2011 and to refer said matter to Town Administrator Mederos and Tax Assessor Spagnolo for a recommendation.

Prior to the vote taken, Councilman Herreshoff observed that the matter has been discussed previously. He added that the taxpayer "gripes" appear to stem from "violent shifts" in property valuations.

Councilman Herreshoff added that the State of Florida appears to allow for a limiting of these shifts and suggested that the Town may wish to ask the General Assembly to consider a limiting statute.

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Town Solicitor Ursillo agreed that action of the General Assembly would be necessary for any change to the revaluation regulations. He noted that the Council is considering a "tax advisory committee" and suggested that this matter might be reviewed by this same committee. Town Solicitor Ursillo added that it is too late for the General Assembly to consider this matter during this legislative session.

Councilman Herreshoff agreed that the issue would have to be prospective and that he would prefer if the matter was well-vetted prior to any Council request to the General Assembly.

Councilwoman Parella asked to know if many properties experienced a greater than 25% shift in valuation with Tax Assessor Spagnolo responding that she did not believe that any properties exceeded 25%.

Councilwoman Parella asked to know if there was a greater than 25% shift during the last full-valuation for any properties with Tax Assessor Spagnolo agreeing to provide a list of properties with the greatest amount of "shift."

Councilwoman Parella asked if a 25% limitation would cause a loss of tax revenue with Tax Assessor Spagnolo responding that there would be no loss of revenue since the tax rate would perhaps be higher as a result.

6. Councilman Herreshoff re kudos for clean-up

Herreshoff/Barboza - Voted
unanimously to ask the Town
Administrator and Department of
Public Works to provide a summary
of the 6-8 most important areas to
be regularly cleaned.

Prior to the vote taken, Councilman Herreshoff noted that the area adjacent to the Guiteras Memorial School was thoroughly cleaned and stated that this result was an indication of the great value of the recent Town-wide clean-up.

Councilman Herreshoff added that this result provided an inspiration to keep all areas of the Town clean. He suggested that the Council might request an analysis of the "6-8-10 most important" areas of Town which might receive a thorough cleaning every day.

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Council Chairman Marshall observed that Stan Dimock regularly cleans public areas as a volunteer and plants flowers also. He thanked Mr. Dimock for his efforts.

After the vote taken, Public Works Director McBride asked to know if this matter is to be considered as it relates to current DPW staffing levels with Councilman Herreshoff suggesting that the Council and Administration may wish to "look at the objective first."

7. Councilman Herreshoff re bandstand apron stage on Town Common

AMEND ITEM

- a. Public Works Director McBride to Town Administrator Mederos re preliminary cost estimate

Parella/Barboza - Voted unanimously to appropriate \$1985 from the Town Council Contingency Fund for the purposes of a new bandstand apron and to request for the Town Administrator and Town Treasurer to determine a source of funding for the remainder.

Prior to the vote taken, Councilman Herreshoff noted that the Concerts on the Common have operated for twenty years with "notable success" and that the current apron is deteriorated.

Councilman Herreshoff also suggested that the new apron might be placed differently so as not to obstruct the pathways. He suggested that the apron should be reoriented toward the south side of the bandstand and be larger than the current apron.

Councilman Herreshoff stated that he was impressed by the cost estimate as provided by Public Works Director McBride and urged that the project should be completed as soon as possible.

Councilman Herreshoff asked if funds were available in the Council Contingency Fund with Town Treasurer Goucher responding that there was \$1985 remaining in the fund.

Councilman Barboza asked to know if the project could be completed before the Concerts are scheduled to begin.

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Public Works Director McBride reported that it will require approximately one week to assemble the apron and that the design accommodates disassembly and reassembly more readily than the current apron.

Councilman Herreshoff suggested that the Council might appropriate the \$1985 and also appropriate \$2000 from next year's Contingency Fund.

Councilwoman Parella suggested that there may be funds available in this year's budget thus leaving next year's Contingency Fund available for other projects.

Public Works Director McBride reported that it will be necessary to modify the current layout of the apron. He added that the new configuration with easier disassembly and reassembly was devised by the DPW employees.

8. Councilman Teixeira re Town employment advertisement

LATE ITEM

- a. Town Charter Section 306(a)

Teixeira/Parella - Motion to ask Town Administrator Mederos to respond to Councilman Teixeira's concern regarding this matter. Voting in favor of this motion were Councilwoman Parella and Councilman Teixeira; voting opposed were Council Chairman Marshall and Councilman Barboza. Councilman Herreshoff abstained. Motion fails in tie.

Prior to the vote taken, Councilman Teixeira stated that he was familiar with the provisions of the Town Charter. He also stated that he has two concerns; that all Bristolians are not made aware of employment opportunities and that it is difficult to prepare a budget if the Council has no role in selecting employees.

Councilman Teixeira also noted that the Charter Review Commission proposed Council oversight in that it recommended that all contracts should be ratified and that this was voted down. He added that the process is not transparent.

Council Chairman Marshall stated that he is of the opinion that appointments are under the authority of the "executive branch" and that this is similar to the appointment

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authority of other higher branches of government. He added that the authority is clearly defined; "good, bad, or indifferent."

Council Chairman Marshall asked to know if Councilman Teixeira was referring to a particular instance with Councilman Teixeira responding that he was not referring to anything specific.

Councilman Barboza noted that "the Town Administrator is elected to do a job" and that he was not about to "inject" Town Council intervention into that responsibility.

Councilman Barboza added that the department heads represent the Town Administrator's "cabinet" and that the Administrator should be allowed his or her preference.

Councilman Teixeira stated that he was familiar with the authority of the Town Administrator and asked Council members "not to be condescending" toward him. He added that the process is not "transparent" and that residents should be informed.

Councilwoman Parella agreed with Councilman Barboza that the "CEO" has the right to select his or her "cabinet." She stated that non-cabinet positions should likely be advertised to assure "equal opportunity." She also stated that she does not agree with Councilman Teixeira regarding all positions.

Councilman Teixeira again stated that he was concerned about "transparency" and also expressed concern that the Council was not informed regarding a certain appointment until the last Town Council meeting.

Town Solicitor Ursillo stated that some positions are filled through the provisions of collective bargaining agreement required "postings."

Councilwoman Parella added that her previous statement regarding equal opportunity was related to new positions.

Councilman Barboza stated that police entry-level positions are always advertised so that the Town may get the "pick of the litter." He added that the Administrator may choose to save money and time when a candidate for a management position is readily apparent.

Councilman Herreshoff explained that he was Town Administrator for eight (8) years and always endeavored to

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pick his own management team. He added that any other arrangement would be a "poor design" and that department heads must be compatible with the Town Administrator.

Councilman Teixeira stated that Councilman Herreshoff's point and his point are two different issues. He added that his point has to do with notification. He also stated that he agrees that the decision ultimately rests with the Town Administrator.

Councilman Teixeira told Public Works Director McBride that this matter was not "personal" toward him but that his (McBride's) appointment was "the straw that broke the camel's back."

Councilwoman Parella suggested that the Council might request that the Town Administrator advertise all job openings. Town Solicitor Ursillo reminded the Council that it may only suggest such an action.

Council Chairman Marshall suggested that Council members, as a courtesy, should provide more detailed information on agenda items.

Councilwoman Parella noted that some recommendations are late and suggested that the administration might be able to provide these in time for the Friday delivery of the Council packet.

The Clerk explained that many petitions are received close to or exactly at the filing deadline and that the Clerk's office cannot request recommendations until the Monday following. Councilwoman Parella stated that she did not consider the timeliness of the petitions and subsequent timing of a recommendation and withdrew her suggestion.

After the vote taken, Councilman Barboza noted that the Town Hall receives applications for employment on a daily basis and provides a preprinted form to accommodate these. He suggested that anyone seeking employment with the Town should submit an application to the Town Administrator's Office.

Council Chairman Marshall suggested that Councilman Teixeira should make time to discuss his concerns independently with the Town Administrator.

9. Councilman Teixeira re repairs for snow plowing damage

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

Prior to the vote taken, Councilman Teixeira informed the Council that he rode in DPW trucks for two and a half hours and observed some damage done by snow plows.

Councilman Teixeira added that he discussed the situation with Public Works Director McBride and also that some repairs were begun on May 20 even though the damage was reported on March 23. He suggested that the Town should have a schedule of planned repairs.

Public Works Director McBride noted that the Public Works Department maintains a snowplow damage log. He added that he does not believe that all of the damage reported by residents is the result of a snow plowing accident since this damage is not found in the log. He added that the Town does repairs to these properties but he expressed concern that these reports may be, in some cases, someone's attempt at getting free repairs.

Public Works Director McBride also reported that lawn damages are reviewed by the department foreman. He added that the foreman sometimes finds that the reported damage was not caused by a snowplow.

Public Works Director McBride added that his "door is always open" and that he is happy to go out and look at a situation if asked to do so.

Public Works Director McBride also added that he believes that his department does a good job with the log and "tackles" the issues as soon as it is practical to do so.

Councilman Teixeira asked to know if the logs are kept year-to-year and suggested that "habitual offenders" could be identified via the logs.

Public Works Director McBride stated that he was not sure if the log-information was kept after the damage was repaired.

10. Matthew H. White, President, Wood Street Associates, LP (WSA Property, Inc.) to Town Administrator Mederos re tax stabilization request for property located at 530 Wood Street

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Herreshoff/Barboza - Voted
unanimously to approve the request
and allow the stabilization to
continue for the life of the lease
(7 years).

Prior to the vote taken, Frank Spinella, representing Wood Street Associates, informed the Council that his agency has been negotiating with the State in an attempt to keep DCYF in Bristol. He requested that the Council might consider continuing the tax stabilization for the life of the new lease (7 years) and also that DCYF is paying rent at a rate established in 1998.

Councilman Herreshoff recommended that the Council should approve this request since "it is good to have them (DCYF) here."

After the vote taken, Councilman Teixeira noted that the current agreement appears to be for 18 months, expiring in November. He asked to know which State authority approves the lease with Mr. Spinella reporting that the Senate approves the lease and that he believes that the property tax and the lease are not related.

Councilman Herreshoff stated that it appears that Wood Street has a "shallow" business plan without much financial "room."

Mr. Spinella agreed with Councilman Herreshoff and stated that the finances, utilizing the 1998 rent rate, "works" with the current expenses. He added that the building is in need of a roof repair which will cost \$200,000 and that the budget is "slim."

Council Chairman Marshall noted that the "reality" of the situation is that this non-profit is voluntarily paying taxes and that it would likely qualify for an exemption.

Mr. Spinella added that the rehabilitation of the building and the lease agreement with DCYF is considered as a "Town sponsored" project.

Council Chairman Marshall noted that the Town benefits by keeping employment in Town.

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

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(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, June 9, 2011

P. PROCLAMATIONS & CITATIONS

1. Citation - Antonio A. Teixeira, years of service to Fundacao Filance

Barboza/Teixeira - Voted unanimously to adopt this citation as prepared and presented.

2. Commendation - John W. McBride, CAPT/USCG/Ret., induction into Hall of Fame/Wall of Gallantry

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

3. Commendation - Cidalia Rodrigues, inauguration as President of the Bristol Rotary Club

Barboza/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. Coastal Resources Management Council - May 2011 Calendar (amended May 20, 2011)

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2. Resolution authorizing Town Administrator Mederos to file CDBG application (signed copy)
3. Steven Skuba, Chairman, Monument Committee, Bristol Veterans Council to DaPonte's Landscaping Service, Inc. re maintenance of grounds surrounding monuments prior to Memorial Day
4. Coastal Resources Management Council - June 2011 Calendar
5. Robin Jenkins Antiques - Sidewalk Use License renewal petition for 2011-2012 (granted May 25, 2011)
6. Alfred's Gifts and Antiques - Sidewalk Use License renewal petition for 2011-2012 (granted May 25, 2011)
7. Town Administrator Mederos to Tidal Enterprises, Inc. re award of Bid #730 - Construction and Installation of a Transient Dock (west end of Rockwell Dock)
8. Coastal Resources Management Council - May 2011 Calendar (amended May 26, 2011)
9. Coastal Resources Management Council - agenda, May 31, 2011
10. Coastal Resources Management Council - June 2011 Calendar (corrected May 31, 2011)
11. Assistant Town Solicitor Teitz - Supreme Court Opinion re review of RIGL § 45-24-53 Zoning Enabling Act, notice and hearing requirements for adoption, repeal, and amendment of zoning ordinances
12. (Bristol County Water Authority) re BCWA in the News, miscellaneous correspondence May 2011
13. Warrant - Timothy A. Pray, Auxiliary Member, Historic District Commission

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14. The Cake Gallery - Sidewalk Use License renewal petition for 2011-2012 (granted May 25, 2011)
15. Class F license granted to Our Lady of Mount Carmel Church Feast Committee, 141 State Street for event to be held on the Town Common, July 14 - 17, 2011
16. Virginia Harnois, Chairperson, Smithfield School Committee - resolution in opposition to Senate Bill 0413 and House Bill 5943, mandating binding arbitration for teachers
17. Class F license granted to Roger Williams University, Global Heritage Hall, 1 Old Ferry Road - event to be held on June 10, 2011
18. Class F license granted to Roger Williams University, North Campus Residence Hall, 1 Old Ferry Hall - event to be held on June 10, 2011
19. Class F license granted to Roger Williams University, 1 Old Ferry Road - event to be held on June 11, 2011
20. Warrant - Raymond Cordeiro, Capital Project Commission
21. Resolution - Adopted 2011-2012 Budget (signed copy)
22. Resolution - 2011 Fourth of July Celebration (signed copy)
23. Michael J. Goetz, Chief, Risk Analysis Branch, FEMA Region 1 to Town Administrator Mederos re updated Coastal Digital Flood Insurance Rate Maps and Flood Insurance Study for the Town of Bristol
24. (Bristol County Water Authority) re BCWA in the News, miscellaneous correspondence June 2011
25. Council Clerk Cirillo to Rep. Raymond E. Gallison, Jr. re Bicycle Path Signage

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26. Town Administrator and Chief of Police recommendation re Gillary's Tavern - One-Day Sunday Dancing and Entertainment License petition for July 3, 2011 (granted May 25, 2011)
27. Council Clerk Cirillo to Sen. David E. Bates, et al re support of South Kingstown School Committee resolution proposing amendments to the funding formula
28. Council Clerk Cirillo to Scott J. Brum - thank you for service on the Juvenile Hearing Board
29. Council Clerk Cirillo to B. J. Stephens, President, Bristol Garden Club, re accomplishments

(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 May 30, 3011
2. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, June 1, 2011
3. Bristol County Water Authority - Engineering Committee, June 1, 2011
4. Bristol County Water Authority - Public Relations/Personnel Committee, June 1, 2011
5. Bristol County Water Authority - Audit Finance Committee, June 1, 2011
6. Bristol County Water Authority - Board of Directors, June 8, 2011
7. Bristol County Water Authority - June 2011 Meetings
8. North and East Burial Grounds Commission - workshop, June 6, 2011

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9. Harbor Commission - June 6, 2011
10. Bristol Warren Regional School District - schedule of meetings, week of June 6, 2011
11. Bristol Warren Regional School Committee - Policy/Community Affairs Subcommittee, June 6, 2011
12. Bristol County Water Authority - Board of Directors, June 8, 2011
13. Bristol County Water Authority - July 2011 Meetings
14. Recreation Board - 2011 Meeting Schedule (amended 6-10-11)
15. Bristol Warren Regional School District - schedule of meetings, week of June 13, 2011
16. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, June 13, 2011
17. Bristol Warren Regional School Committee - workshop, June 13, 2011

S. TOWN SOLICITOR

1. Solid Waste and Recycling Services Agreement with Rhode Island Resource Recovery Corporation for 2011-2014

Barboza/Parella - Voted unanimously to ratify this agreement as recommended.

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. High-5 re LNG withdrawal - Council Chairman Marshall again noted the withdrawal of the Weaver's Cove project and congratulated the various parties who worked toward this end.

b. Mike Davis - Council Chairman Marshall thanked Mr. Davis for his taping of this evening's meeting.

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c. BCWA Audit - Council Chairman Marshall noted Councilor's receipt of the "performance audit" report and suggested that this report should be discussed at a meeting of the tri-town Councils. He suggested that the Town may wish to host the meeting and agreed to advise the Council of the date and time.

d. General McBride - Council Chairman Marshall congratulated Public Works Director Kevin McBride who was recently appointed Adjutant General of the RI Army National Guard. He thanked Public Works Director McBride for agreeing to stay on in his Public Works position until after the 4th of July and added that Public Works Director McBride has already made a marked contribution as Public Works Director and that the "word on the street" has been very positive.

e. Happy 4th of July - Council Chairman Marshall extended a Happy 4th of July to all on behalf of the Council.

2. BARBOZA

a. General McBride - Councilman Barboza extended his congratulations to General McBride also and noted that Town Administrator Mederos is assembling a search committee to find a suitable replacement.

b. Flag Day - Councilman Barboza extended his congratulations to Patti Baccus of the 4th of July Committee for arranging a fine Flag Day program.

c. Joint Finance Committee - Councilman Barboza announced that the Joint Finance Committee, on the advice of its legal counsel will not be meeting until the matter of the Attorney General complaint has been resolved.

d. Happy 4th - Councilman Barboza extended 4th of July best wishes also.

3. TEIXEIRA

a. McBride - Councilman Teixeira extended his best wishes to General Kevin McBride.

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b. Flag Day - Councilman Teixeira stated that the Flag Day exercises were "wonderful" and informed the Council that the ceremonies made him proud to be a Bristolian.

c. Erosion at Independence Park - Councilman Teixeira explained that there was some erosion observed at Independent Park nearby the location of the memorial cannon.

d. Father's Day - Councilman Teixeira noted the approaching Father's Day holiday.

e. 4th of July - Councilman Teixeira noted the approaching 4th of July holiday and associated activities.

4. HERRESHOFF

a. LNG "Elation" - Councilman Herreshoff noted that he was "elated" in consideration of the LNG pullout and observed that the final announcement from Weaver's Cove Energy was "arrogant" in that it did not mention anything regarding "the well being of our citizens."

b. 4th of July - Councilman Herreshoff stated that the 4th of July is the best time to be in Bristol.

5. PARELLA

a. McBride - Councilwoman Parella offered her congratulations to General McBride and noted that his appointment was "terrific."

b. Father's Day - Councilwoman Parella wished a happy Father's Day to all of the father's present.

c. Bristol a "great place" - Councilwoman Parella observed that Bristol is a "great place" and added that the Council members sometimes disagree but usually get along.

d. 4th of July - Councilwoman Parella wished everyone a happy 4th of July.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

Marjorie McBride of 3 Avenir Court spoke to the Council regarding "taxes."

Ms. McBride observed that she had not made a presentation regarding a "personal" matter since her many appearances concerning the landfill many years ago. She asked that this information be placed on the record since she was "upset."

Ms. McBride also thanked the Council for honoring her husband recently.

Ms. McBride described in detail a discrepancy in her property valuation and explained that she believes she is taxed unfairly.

She also informed the Council that she plans to appeal her property valuation and is putting the Council "on notice" regarding this matter.

Councilwoman Parella asked if Ms. McBride contacted the Board of Review with Ms. McBride responding affirmatively and also that no one visited her property and that she "still got nailed."

Ms. McBride contends that some of her neighbors with similar or larger units are paying less tax and questioned why this would be so.

Tax Assessor Spagnolo advised the Council that the current revaluation is a "mathematical" update based upon statistics and averages and that it is not a "perfect" system. She added that Ms. McBride's adjustment versus its previous valuation appears to be similar to others in the same neighborhood.

Ms. McBride asked to know why sales of hers or similar units did not appear to impact the valuation.

Tax Assessor Spagnolo noted that there are many in neighborhoods with similar issues and that the problem is related to averaged prices.

A discussion ensued regarding the methodology of the revaluation and Councilman Barboza thanked Ms. McBride for bringing her information to the attention of the Council. He encouraged her to bring her concerns to the Board of Tax Assessment Review.

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There being no further business, upon a motion by Councilman Barboza seconded by Councilman Herreshoff and voted unanimously, the Chairman declared this meeting to be adjourned at 10:06 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk