

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 6, 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

A1

The Council met in regular session on Wednesday evening, July 6, 2011, in the Town Hall, Council Chambers, beginning at 7:08 o'clock PM, Council Chairman Marshall presiding:

Council Chairman Marshall - request for Executive Session pursuant to RIGL §42-46-5 (a) (1) re Bristol County Water Authority Directors job performance:

David Dugan
Joseph G. Rego
Frank J. Sylvia

Council Chairman Marshall noted that the matter of the Bristol County Water Authority Directors job performance would be continued to a meeting to be determined since one of the directors was ill and could not be present for this evening's meeting.

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall observed that the Town had a "wonderful" Fourth of July and credited Town Administrator Mederos, the various department heads for their contribution to the success. He added that the post-parade clean-up was also a success and specifically thanked Public Works Director McBride for remaining on the job through the Fourth of July festivities.

RECOGNITIONS

Council Chairman Marshall also observed the evidence of "community spirit" which came about as a result of the difficulty surrounding a television broadcast of this year's parade. He noted that the commercial television stations were unable to broadcast the parade and that the Town was able to rely upon Mike Davis, media, and Full Channel TV to make the parade available on local cable television and also on the internet.

Council Chairman Marshall noted that Mark Bucolo, Chairman of the local Area 5 cable advisory committee worked from 9:00 o'clock AM until 4:00 o'clock PM on the broadcast as a "cheerful and energetic volunteer." The Council awarded Mr. Bucolo with a volunteer pin in recognition of his efforts.

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Mr. Bucolo thanked the Council for recognizing him and stated that he was pleased to participate.

Mike Davis - Fourth of July Parade coverage

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

Mike Davis

in recognition of his community spirit and hard work in providing his many talents and unparalleled expertise toward assuring a telecast of this year's grand Fourth of July, Military, Civic, and Firemen's Parade.

In granting this commendation, the Honorable Town Council and Honorable Town Administrator of the Town of Bristol, State of Rhode Island and Providence Plantations, individually, collectively and by these presents; on behalf of all of the citizens of said Town, extend their congratulations and best wishes to Mike Davis, applaud his good citizenship, and further commend him for his endless devotion to the public good.

*Presented this
6th Day of July, A. D. 2011.*

IN WITNESS WHEREOF we have hereunto set our hand and affixed the Seal of the Town of Bristol.

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

Linda J. Maaia, President & CEO and Levi C. Maaia, Vice President, Full Channel - Fourth of July Parade broadcast

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

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*Linda J Maaia and Levi C. Maaia
of Full Channel TV*

in recognition of their community spirit and superior display of truly admirable customer service in their efforts toward assuring a telecast of this year's grand Fourth of July, Military, Civic, and Firemen's Parade.

In granting this commendation, the Honorable Town Council and Honorable Town Administrator of the Town of Bristol, State of Rhode Island and Providence Plantations, individually, collectively and by these presents; on behalf of all of the citizens of said Town, extend their congratulations and best wishes to Linda J. Maaia and Levi C. Maaia and everyone at Full Channel TV; applaud their good citizenship, and further commend them for their willingness, with great dispatch, to answer the call to action.

*Presented this
6th Day of July, A. D. 2011.*

IN WITNESS WHEREOF we have hereunto set our hand and affixed the Seal of the Town of Bristol.

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

Representing Linda and Levi Maaia, Jesse Dufault of Full Channel TV also thanked Doug Yoke and Mike Davis for their assistance. He explained that Full Channel would like to broadcast the parade in the future.

It was also noted that there were approximately 1,600 internet viewers from around the world.

Mr. Davis thanked the Council for recognizing his efforts.

Council Chairman Marshall also noted that the television project was a cooperative effort with Town Administrator Mederos noting that Council Chairman Marshall "got everyone together" to complete the task.

RI Boys State Program

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David Silvia, Representative of RI Boys State Program explained the accomplishments of Boys State and Girls State participants and introduced the students.

He also explained that Audra Morra from Mt. Hope High School was selected as the top student in Rhode Island and will be participating in an extension of the program in Washington, DC.

Ms. Morra thanked the American Legion for its sponsorship of the program.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Teixeira - Voted
unanimously to approve the Consent
Agenda withholding agenda item N1.

Prior to the vote taken, Councilman Teixeira asked that agenda item N1 might be withheld from the Consent Agenda for further consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Budget Workshop - April 5, 2011

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

2. Town Council Special Meeting - April 11, 2011

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

3. Town Council Special Meeting - April 25, 2011

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

Prior to the vote taken, Councilman Teixeira asked to know where the Town "stands" regarding the discussion with National Grid with Town Administrator Mederos reporting that the Town has had subsequent conversations with the utility company since the workshop discussion.

Town Administrator Mederos added that the idea of a pilot program remains in a discussion phase but that the areas

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first considered for the pilot program do not have as many streetlights to turn-off as originally believed. She added that the development of a plan is complex and that she will report back to the Council regarding this matter when it becomes available.

4. Public Hearing on 2011-2012 Provisional Budget - April 27, 2011

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

5. Town Council Special Meeting - May 18, 2011

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

6. Town Council Special Meeting - May 31, 2011

Barboza/Teixeira - 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. Bristol Housing Authority - May 12, 2011
2. Historic District Advisory Committee - March 24, 2011
3. Planning Board - April 19, 2011
4. North and East Burial Grounds Commission - March 28, 2011
5. Board of Fire Engineers - June 29, 2011

B. OLD BUSINESS

1. Fire Chief Martin re removal of speed bumps on High Street in front of Byfield and Reynolds Schools

Parella/Teixeira - Voted
unanimously to authorize the Town

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Administrator to obtain prices to remove the speed bumps, utilizing Town equipment and labor for a portion of the work if possible.

Prior to the vote taken, Fire Chief Martin noted that the bumps cause the fire apparatus to "whip" thus causing damage.

Council Chairman Marshall expressed concern that the last time the Council considered removal of the speed bumps it was told the cost to remove same was \$15,000. He added that there was no budget appropriation to cover this amount and suggested that the cost to remove the bumps might be reinvestigated potentially using Town workers and/or equipment at least in part.

Councilman Barboza noted that the Town was "painted into a corner" regarding the initial installation of the speed bumps due to the concerns raised relative to the now-defunct schools and shared library in the area.

2. Councilman Herreshoff - request for early consideration of matter re Quito's Shellfish & Restaurant liquor license (scheduled to be heard July 20, 2011)
 - a. Albert P. Quito, d/b/a Quito's Shellfish & Restaurant, 411 Thames Street - request for consideration re (temporary seasonal) expansion of existing Class B-V Intoxicating Beverage License, adding an outdoor bar with seating and limited menu, **continued from May 25, 2011**
 - b. Existing floor plan re Class BV liquor license of Quito's Shellfish & Restaurant
 - c. (Albert P. Quito) re proposed floor plan

Herreshoff/Barboza - Voted unanimously to approve a service bar only and to instruct the Clerk to provide the applicant with a carefully stipulated policy in writing in order to assure that there would be no misunderstanding of the Council's intentions.

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Prior to the vote taken, Councilman Herreshoff noted that Mr. Quito operates an "exemplary business" and that this business is "seasonal and must make hay when the sun shines."

Councilman Barboza agreed that the business was exemplary and noted that Mr. Quito has been most cooperative in the past. He asked to know if this outdoor bar would have to have seating with Mr. Quito responding that he would like to have room for approximately 4-5 persons to sit. He added that it may be possible to have no seating and that persons would have to stand at the bar.

Councilwoman Parella noted that there was already a bar for patrons indoors on the premises with Mr. Quito explaining that the outdoor bar would relieve some of the congestion occurring between the outdoor and indoor dining areas.

Council Chairman Marshall stated that he did not think that the Council would be concerned to allow a second bar for service purposes but rather that patrons at this bar would be a problem.

Councilwoman Parella explained that the Council considers a "service bar" as one that will provide drinks to wait-staff who will in-turn serve these drinks to patrons seated at tables and having meals concurrently. Councilwoman Parella also stated that she was aware that Quito's is a "great restaurant" and not a "bar."

Police Chief Canario stated that he was concerned that patrons being served with drinks at an outside bar may lead to those persons exiting into Independence Park carrying the drinks which is an illegal activity. He further stated that he did not object to a service bar for wait-staff provided that the patrons are served drinks at tables and not while standing. He added that he plans to address the matter generally, in greater detail at the workshop planned for July 20, 2011.

Councilman Herreshoff explained that the Clerk should communicate with Mr. Quito so as to assure that there is no misunderstanding of the Council's definition of a "service bar."

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

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Barboza/Herreshoff - Voted unanimously to authorize the establishment of an ad-hoc committee of 5 or 7 members and to refer said matter to Town Solicitor Ursillo, Tax Assessor Spagnolo and Mr. Casalegno for the establishment of a charge to committee and to authorize the Chairman to approve this charge and also to authorize the Clerk to advertise for candidates for appointment and that the selection criteria shall be included in the advertisement.

Prior to the vote taken, Town Solicitor Ursillo recommended that the Council may wish to establish an ad-hoc committee with participation of the public.

Councilman Barboza asked to know how many members would be appropriate for this committee with Town Solicitor Ursillo suggesting that there should be no more than seven (7) members.

Councilman Herreshoff suggested that a committee of five (5) members is a good working group.

Councilwoman Parella suggested that seven (7) members would also be acceptable and asked to know if there was a "mission" specified for the group.

Town Solicitor Ursillo suggested that some of those persons who served previously may wish to be appointed.

Councilwoman Parella suggested that Council Chairman Marshall should be granted the authority to approve the charge to the committee. She also suggested that the criteria for the committee should be included in an advertisement seeking members.

Council Chairman Marshall asked Mr. Casalegno to provide assistance with the criteria with Mr. Casalegno agreeing to do so.

4. Council Clerk Cirillo re Citizens' Advisory Committee for cable television, **continued from June 15, 2011**
 - a. Council Clerk Cirillo - Committee members

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Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of July 27, 2011.

Prior to the vote taken, responding to a question posed by Councilwoman Parella, Mark Bucolo informed the Council that the Area 5 Advisory Committee decided to meet via e-mail in the future.

Councilwoman Parella noted the pending issue regarding the Area 5 Studio and suggested that the group may wish to meet at least quarterly and also that the Committee should consider the future of the studio as a priority.

Mr. Bucolo agreed and informed the Council that he would "hate to see the studio disappear."

Councilwoman Parella noted the studio dilemma as presented by Mr. Piccerelli at previous meetings and suggested that the Advisory Committee will play an important role in the studio's future.

5. Councilman Herreshoff re request for street name recognition, **continued from June 15, 2011**

Herreshoff/Barboza - Voted
unanimously to authorize Town
Administrator Mederos to install an
"ornamental" sign nearby the
subject street and that Councilman
Herreshoff will assist in the
design of said sign.

Prior to the vote taken, Town Administrator Mederos stated that Mr. Herreshoff's idea for the ornamental sign was "great" and asked Councilman Herreshoff if he wished to participate in the design of same.

6. Melinda L. Thies, Superintendent, Bristol Warren Regional School District re modular classroom at Guiteras School 2012-2013

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

Prior to the vote taken, Council Chairman Marshall noted that the Town and School District have begun on the

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permitting process with Town Administrator Mederos noting that Director of Community Development Williamson began on this immediately following the last meeting.

Town Administrator Mederos cautioned that the permitting process will not be easy due to the location under consideration.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Kathleen A. Sousa, Land Planning Manager, Cumberland Farms, Inc. re Cumberland Farms Store #1263, 390 Metacom Avenue - request for Additional Operational Hours of Victualling License (see agenda item G1 also)
 - a. Recommendation - Town Administrator and Chief of Police

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

Herreshoff/Teixeira - Voted
unanimously to grant this
"additional hours" license per the
recommendations 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 this agenda item was considered concurrently with agenda item G1.

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

Linda Lefkowitz, speaking on behalf of the petitioner, explained her company's desire to have additional hours.

There was no further remonstrance presented.

D. ORDINANCES

1. Ordinance #2011-09, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, (43) Mooring and docking fees, and

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(new) (76) Recreation department summer camp fee, **2nd reading for adoption**

Herreshoff/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-09, as amended approving only Section 11-1 (76) at this time and to continue Section 11-1 (43) for further consideration until the meeting of July 27, 2011. Advertise in local newspaper.

After the vote taken, Barbara Healy of 10 Dolly Drive informed the Council of her opinion that this matter requires "quite a bit of (further) discussion."

2. Ordinance #2011-10, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, parking time limited in designated places (Bradford Street), **1st reading**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the first reading of Ordinance #2011-10. Advertise in local newspaper.

3. Ordinance #2011-11, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, (new) Section 8-71, Dinghy racks (rental), **1st reading**

Herreshoff/Parella - Voted unanimously to consider this action to constitute the first reading of Ordinance #2011-11. Advertise in local newspaper.

(CA) E. BUDGET ADJUSTMENTS

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

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

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(CA) F. APPOINTMENTS

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

1. Public Service Appointments
 - a. Redevelopment Agency - Third Alternate (to fill vacancy, term to expire December 2015)
 1. Eric A. Sponseller, 130 High Street, 3W - interest/appointment

Councilman Barboza nominated Mr. Sponseller 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 Mr. Sponseller with term to expire in December 2015.

G. LICENSING BOARD - NEW PETITIONS

1. Kathleen A. Sousa, Land Planning Manager, Cumberland Farms, Inc. re Cumberland Farms Store #1263, 390 Metacom Avenue - request for Additional Operational Hours of Victualling License (see agenda item C1 also)

It is hereby noted for the record that this agenda item 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 June 15, 2011**

- a. Building Official Pimenta re Building Code violations

LATE ITEM

- b. Rhode Island Department of Health re approval to operate

Barboza/Herreshoff - Voted unanimously to continue this matter

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and agenda item G3 until the meeting of July 27, 2011.

Prior to the vote taken, Councilman Barboza asked if there was a report available from the Building Official since there was some concern about unaddressed building code violations.

The petitioner informed the Council that there was some glass replacement pending and that the landlord has agreed to resolve this matter.

Councilman Barboza stated that this appears to be a safety violation and must be resolved prior to the issuance of a license.

Councilman Herreshoff informed the petitioner that the Council would likely not approve the license until all pending matters are resolved.

Councilwoman Parella expressed concern regarding the applicant's sale of illegal fireworks. She added that the Council has concern regarding the sale of some items appearing to be "inappropriate" especially in close proximity to an elementary school. Councilwoman Parella also noted that she has observed the petitioner's Wood Street establishment with "thirty-five kids hanging-out in front" and that this would be inappropriate also.

The petitioner stated that the fireworks were purchased through a supplier and the he was unaware that these were illegal.

Town Solicitor Ursillo noted that the matter of the fireworks was pending before the courts and recommended that it not be discussed further at this time.

Councilwoman Parella again stated her concern that many people were "hanging-out" nearby the petitioner's Wood Street establishment with the petitioner responding that he cannot stop people from "hanging-out" should they wish to do so.

Council Chairman Marshall stated that the Council was concerned based upon some difficulty surrounding the petitioner's Wood Street establishment. He suggested that the petitioner should be also concerned about his "past history" and work to mitigate any future problems.

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3. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, Inc. 2, 573 Hope Street - request for a Holiday Sales License, **continued from June 15, 2011**

It is hereby noted for the record that this item was considered along with agenda item G2 above.

4. Deborah A. Metakas, d/b/a Floral Symphony, 267 Thames Street - request for a Sidewalk Use License

- a. Recommendation - Code Compliance Coordinator

LATE ITEM

- b. Recommendation - Town Administrator and Chief of Police

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

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

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

1. Department of Public Works - Road Cut Permits
2. Water Pollution Control Facility - Sewer Permits

J. PETITIONS - OTHER

1. Rev. Daniel Randall, First Congregational Church, 281 High Street - request for a mid-block crosswalk and warning signs

LATE ITEM

- a. Recommendation - Director of Public Works

Barboza/Herreshoff - Voted unanimously to refer this matter to administration for further study.

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Prior to the vote taken, Councilman Barboza noted the concerns as expressed by Public Works Director McBride. He added his opinion that it would likely be best if the children were encouraged to cross at the Bradford Street crosswalk. He suggested that the matter should be referred to administration for further study.

Councilman Herreshoff agreed that further study was needed.

Councilwoman Parella suggested that a crosswalk at Congregational Street might be a possible alternative since it is on a street corner.

2. Richard Kearns, President, JRM Properties, Portsmouth, RI - request for a curb cut on the east side of Monroe Avenue to provide a side yard parking area for 36 and 38 Bay View Avenue
 - a. Recommendation - Director of Public Works

Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of July 27, 2011.

Prior to the vote taken, Council Chairman Marshall noted that the recommendation appears to request more detail from the petitioner.

Mr. Kearns stated that he is trying to provide six (6) off street spaces without compromising the property's yard.

Councilman Teixeira stated that he visited the area and expressed concern that there will be a loss of three (3) parking spaces on the public street in order to accommodate the petitioner's request.

Mr. Kearns stated that he did not believe that there would be a loss of parking spaces and would like to have the opportunity to prove this to the Town.

Councilman Teixeira asked to know how many spaces the petitioner wishes to provide with Mr. Kearns responding that he wished to provide six (6) parking spaces.

Councilman Teixeira suggested that these might be accessible from Bay View Avenue with the petitioner agreeing that this

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would be possible but that the yard would be sacrificed to a driveway in the process.

Councilman Barboza suggested that the matter might be continued until the petitioner is able to supply a more detailed plan.

Councilwoman Parella suggested that Police Chief Canario should examine this proposal in addition to the Public Works Department.

Mr. Kearns reported that part of his goal is to preserve the yard for the use of the tenants.

3. Henry Sousa, 147 Bay Spring Avenue,
Barrington - request for a pension for years
of service on the Board of Canvassers

Barboza/Herreshoff - Voted
unanimously to forward the 2009
memorandum of the Town Solicitor,
as provided, to Mr. Sousa.

Prior to the vote taken, Councilwoman Parella stated that ill-conceived pension arrangements were "rampant" in the past. Councilman Barboza explained that former Councilman Cordeiro spoke to Mr. Sousa about this matter and explained the Town's position.

Town Solicitor Ursillo noted that the Council has no authority to provide a pension in this case.

4. Anita Trezvant for Bristol Independent
Galleries, et al - request for Council
support re the establishment of tax-free arts
district (resolution)

Barboza/Parella - Voted unanimously
to instruct the Clerk to prepare a
Council resolution regarding this
matter for consideration at the
meeting of July 27, 2011.

After the vote taken, Councilman Teixeira asked to know if this would have a financial impact upon the Town with Town Solicitor Ursillo noting that this is a sales-tax matter and that the State collects sales tax so it would possibly impact the State's revenues.

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Ms. Trezvant explained that this matter represents a win-win for everyone since those purchasing art will likely visit the Town and purchase other goods and services, eat in restaurants, etc. She speculated that any loss in revenues to the State would be made up otherwise. She added that the Town of Bristol was at a disadvantage since many other areas in Rhode Island have tax-free arts districts.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Resolution authorizing the Assessment of Valuations and Levy of Taxes, Sewer Service Fees and Sewer Assessments

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

2. Coastal Resources Management Council - Public Hearing, July 26, 2011

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

3. Council Chairman Marshall re flood insurance

Barboza/Herreshoff - Voted unanimously to continue this matter until the meeting of August 17, 2011.

Prior to the vote taken, Council Chairman Marshall stated that he discussed this matter with Town Administrator Mederos and Town Solicitor Ursillo with Town Solicitor Ursillo responding that the matter was referred to the Trust and that the Trust has not yet provided a response.

L. BILLS & EXPENDITURES

1. Bid #733 - (Rebid) Collection of Residential Curbside Trash

Herreshoff/Parella - Voted unanimously to request that administration should prepare a financial analysis of the proposals to include the alternative of maintaining the service utilizing

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Town employees and to continue said matter until the meeting of July 27, 2011.

Prior to the vote taken, Councilman Herreshoff explained that this was an important issue and that it deserves "quite a bit of analysis" of the finances. He urged the Council and Town Administrator Mederos to "move slowly" and:

1. Reexamine the finances and the need to hire new employees and perhaps two (2) might be needed rather than the four (4) proposed.
2. Make a careful check on those who have supplied proposals.

Town Administrator Mederos requested additional time and for the opportunity to analyze the situation with Acting Public Works Director Serbst, Council Chairman Marshall, and Town Treasurer Goucher.

After the vote taken, Councilman Teixeira asked to know how many temporary employees have been retained with Town Administrator Mederos responding that there were three (3) and that this was the same amount as last year.

(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, June 30, 2011

Herreshoff/Barboza - Voted unanimously to receive and place this matter on file with gratitude to the Treasurer.

Prior to the vote taken, Councilman Teixeira asked to know if this was the last report of the fiscal year with Town Treasurer Goucher responding that there will be additional transactions before the audit.

Councilman Teixeira stated that he would wait for the next report.

P. PROCLAMATIONS & CITATIONS

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1. Proclamation - Bristol Highlands Centennial, "Bristol Highlands Day," July 2, 2011

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

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

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

1. Elizabeth J. Cook-Martin, Hopkinton Town Clerk - request for support re opposition to House Bill 5554 Sub A, An Act Relating to Towns and Cities - Zoning Ordinances; adding several definitions and also addressing land planning and open space (legislation attached)
2. Oryann Lima, Chairman, Historic District Commission re request for support of House Bill 6199, An Act Relating to Taxation - Personal Income Tax - Historic Homeownership Assistance; allowing a credit for the maintenance and rehabilitation of historic residences (legislation attached)

(CA) R. DISTRIBUTIONS/COMMUNICATIONS

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

1. Resolution supporting formation of the East Bay HOME Consortium (signed May 25, 2011)
2. Warrant - Matthew White, Capital Project Commission
3. Warrant - Edward J. Correia, Capital Project Commission
4. Warrant - William Goneau, Capital Project Commission, Alternate Member
5. Warrant - Susan H. Rabideau, Capital Project Commission

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6. Tweet's Family Restaurant - Dancing and Entertainment License renewal petition for 2011-2012 (granted June 15, 2011)
7. Recommendation - Chief of Police recommendation re Just Dogs, amended Hawkers and Peddlers License (granted per Council June 15, 2011)
8. Recommendation - Chief of Police re Wood Street Café, One-Day Sunday Dancing and Entertainment License petition for July 3, 2011 (granted June 15, 2011 subject to receipt of positive recommendation)
9. Recommendation - Town Administrator and Chief of Police re Up on the Roof Banquet Facility, One-Day Sunday Dancing and Entertainment License petition for July 3, 2011 (granted June 15, 2011 subject to receipt of positive recommendation)
10. One-Day Sunday Dancing and Entertainment License petitions for July 3, 2011; Judge Roy Bean, Aidan's Pub, Tweet's Family Restaurant, Agave, and Thames Waterside Bar & Grille
 - a. Recommendation - Town Administrator and Chief of Police
11. Robert J. Arsenault, President, Community String Project re thank you for support of program
12. Bruce DiGennaro, Managing Partner, Essex Energy Partners, LLC re proposed hydroelectric projects on the Blackstone River
13. Vincent J. Palumbo, P.E., Managing Engineer, RI Department of Transportation re Asylum Road resurfacing
14. Coastal Resources Management Council - June 2011 Calendar (amended June 14, 2011)
15. Coastal Resources Management Council - Semi-Monthly meeting, June 28, 2011

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16. Fourth of July Committee - 2011 Concert Series list of Vendors
17. Council Clerk Cirillo to Judith Squires, Chairman, 4th of July Committee, et al re 4th of July Carnival
18. Council Clerk Cirillo to Principal Planner Tanner re Phase II Stormwater Annual Reports (adopted June 15, 2011)
19. Lori Barry re Lost Fishermen's Memorial dedication
- 20 Coastal Resources Management Council - July 2011 Calendar
21. Council Clerk Cirillo to Joseph G. Rego, 2 Ericcson Lane re Executive Session
22. Council Clerk Cirillo to David Dugan, 16 Fesser Avenue re Executive Session
23. Council Clerk Cirillo to Frank J. Sylvia, 78 High Street re Executive Session

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

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

1. Recreation Board - June 21, 2011
2. Bristol Warren Regional School District - schedule of meetings, week of June 20, 2011
3. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, June 20, 2011
4. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, July 6, 7, 12 & 14, 2011
5. Rogers Free Library Board of Trustees - June 23, 2011
6. North and East Burial Grounds Commission - September 26, 2011

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7. Bristol Warren Regional School District - schedule of meetings, week of June 27, 2011
8. Bristol Warren Regional School Committee - Personnel/Contract Subcommittee, June 27, 2011
9. Bristol Warren Regional School Committee - June 27, 2011

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. 4th of July - Council Chairman Marshall commented that the 4th of July activities were of excellent quality and that he particularly appreciates that Police Chief Canario has "a finger on the pulse" and expressed his thanks to the Police Department for their services during the festivities.

b. Mike Davis and Volunteers - Council Chairman Marshall noted that Mr. Davis and several volunteers provided the TV coverage of the 4th of July Parade and that the broadcast was "World-wide" thanks to the internet.

c. Makenzie Marshall - Council Chairman Marshall noted the 15th birthday of his daughter Makenzie.

d. 4th Parade - Council Chairman Marshall observed that this year's parade was excellent.

e. Agenda Item R19 - Council Chairman Marshall noted the receipt of the note from Lori Barry re the Lost Fishermen's Memorial dedication.

2. BARBOZA

a. 4th of July - Councilman Barboza echoed the sentiments expressed by Council Chairman Marshall and also congratulated the Fire Department for its participation.

b. Summer Camps, Concerts - Councilman Barboza noted that there will be Concerts on the Common on

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Thursday evenings and the Town-sponsored Summer Camp upcoming.

c. USS Ponce - Councilman Barboza noted that he, Councilman Teixeira and Councilman Herreshoff along with the Clerk attended a reception aboard the visiting US Navy vessel USS Ponce and that the Clerk made a welcoming presentation to the ship's captain on behalf of the Town.

3. TEIXEIRA

a. 4th of July - Councilman Teixeira echoed the previously stated information regarding the 4th of July, etc.

4. HERRESHOFF

a. 4th of July - Councilman Herreshoff echoed the previously stated information regarding the 4th of July, etc. and added that the Town was cleaned thoroughly after the parade. He also added that the 4th of July fills him with pride and that it is the "centerpiece" of our way of life in Bristol.

b. BCWA - Councilman Herreshoff noted the Bristol County Water Authority (BCWA) audit report and referred to same as a "good opportunity to move forward." He suggested that the Council should have "its own meeting" regarding the authority. Council Chairman Marshall agreed that there is a "sense of urgency" regarding this matter and that the directors need to "set goals and priorities," starting immediately.

Council Chairman Marshall also reported that there was a meeting held in Rehoboth and that Rehoboth appears to be cooperative and that the Shad line may be finally realized.

Councilman Herreshoff stated that there should be pressure from the Councils to motivate the Authority to "change directors." He expressed fear that the current directors may be "too closely invested in the BCWA."

Councilman Herreshoff noted that there may be a need to hold some BCWA meetings in Executive Session since the Council may discuss personnel

issues. He stated that he would prefer if the matter were to be discussed in open session.

Council Chairman Marshall suggested that there be an agenda item added to the special meeting of July 20, 2011 to discuss the rationale for an Executive Session concerning the BCWA.

Town Solicitor Ursillo agreed that it would be appropriate to discuss personnel matters in Executive Session. He added that the "personnel" would have the option for open session at their choice.

c. Fireworks - Councilman Herreshoff provided his annual request to the 4th of July Committee to hold its annual fireworks display on July 4 rather than the current practice of July 3. He added that the display should originate from a barge in Bristol Harbor.

A discussion ensued regarding fireworks in general with Councilwoman Parella noting that the Town should keep a watchful eye on new fireworks bills that may allow for even more dangerous types of fireworks to be available locally. Councilwoman Parella stated that she would like for the current legislation to be rescinded and explained that sparklers can reach 1200 degrees F.

Town Administrator Mederos agreed that sparks from fireworks can cause serious burns.

Councilman Teixeira stated that he found it ironic that gasoline stations were selling fireworks.

5. PARELLA

a. 4th of July - Councilwoman Parella also commented on the quality of the 4th of July activities and commended the various departments for their participation. She added the public was orderly and that the various activities provide impetus for an annual "homecoming."

b. Binding Arbitration - Councilwoman Parella congratulated the General Assembly for rejecting recent binding arbitration legislation. She added that the discussion regarding same makes her "crazy" and that the proposal would have

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completely taken the taxing authority away from the cities and towns.

Councilman Barboza noted that Rep. Gallison voted against binding arbitration.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Fireworks - Town Administrator Mederos noted the arrests in the sale of illegal fireworks and congratulated the Police Department for their work concerning same.

b. Binding Arbitration - Town Administrator Mederos noted that there were thirty-five (35) city and town resolutions presented to the General Assembly in opposition to binding arbitration.

c. 4th Clean-up - Town Administrator Mederos noted the clean up after the 4th of July and noted that Public Works Director McBride credited townspeople for doing a good job cleaning near their properties and cleaning-up after themselves.

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 9:30 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk